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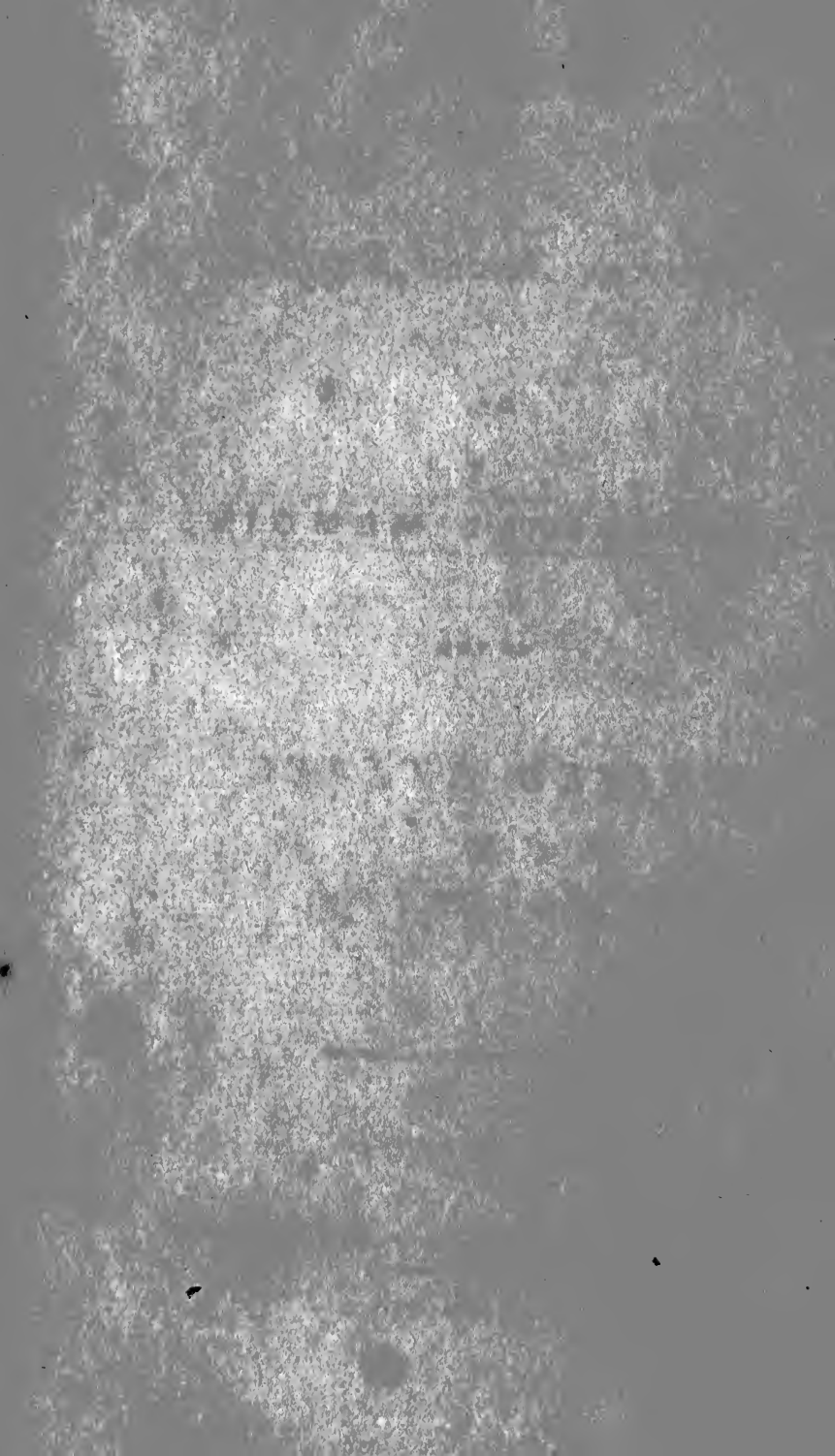
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THE

American Annual Register,

OR,

HISTORICAL MEMOIRS

OF THE

UNITED STATES,

FOR THE YEAR 1796.

PHILADELPHIA:

PRINTED AND SOLD BY BIOREN & MADAN, NO. 77, DOCK-STREET.

January 19th, 1797.

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THE
AMERICAN ANNUAL REGISTER,
FOR THE YEAR 1796.

CHAPTER I.

Meeting of the First Session of the Fourth Congress. Choice of a Speaker. Sir Fletcher Norton. Contrast between a British House of Commons, and the House of Representatives of Congress. Marked negligence of the Senate in the preceding Session. Speech of the President. Remarks. Newspapers gratis to Members. Franking. Answer to the President's Speech. Mr. Parker's amendment to Mr. Murray's motion. Ridiculous comments on the speech in the Philadelphia Gazette. Singular project of land-jobbing. Discovery by Mr. W. Smith. Proceedings against Randall and Whitney.

THE first session of the fourth Congress of the United States commenced on Monday, the 7th of December, 1795. The House of Representatives consists at present of an hundred and five members; of these, fifty-three as being a majority, form a quorum. In the preceding session, the House were to have met on the 3d of November, 1794, but they could not make a quorum till the 6th; thus three days of that session, and about eight hundred dollars of congressional wages, were cast away. The nation have a right to punctual attendance. By a law past on the 22d of September, 1789, every member of the House of Representatives is entitled, for expences of travelling, to six dollars for each twenty miles of the distance from his own place of residence to that where Congress meet. The same allowance is made for charges on his return home, at the end of the

session. If he falls sick on his journey, or during his official attendance, he has also six dollars daily. On the 10th of November, 1794, only seventy-nine members had assembled; and, on a division about adjourning, it appeared that of these, ten were not in the House. In the session of which an account is now to be given, the representatives formed a quorum on the first day of meeting. They proceeded immediately to the choice of a speaker. The two gentlemen put into nomination were Mr. Muhlenberg, and Mr. Dayton. The former had been elected speaker by the first and third Congresses. In the debate about democratic societies, in last session, when the House were equally divided, his casting vote was in their favour. Perhaps it was partly for this, and some other reasons of the same kind, that Mr. Dayton, who had voted against these societies, was now chosen by a majority to the chair. The salary of the speaker is twelve dollars per day; but the extra-expence and trouble with which the office is attended, prevent it from being, in point of gain, any great object of competition. This election was made by ballot, conducted with the strictest order, and did not, all together, take up more than half an hour. Those who are acquainted with the British House of Commons, with the struggle, and sometimes tumult that arises in the election of their speaker, will form an high idea of the superior decorum and dignity of an American Congress. Some readers may recollect the memorable lamentations of Sir Fletcher Norton, during last war, when Lord North found it convenient to resist his being re-elected as parliamentary speaker. He told the House how many thousand pounds per annum he was thus condemned to lose, by what he chose to call the *perfidy* of the minister. He stated the very eligible prospects which he had renounced, on assurance from the cabinet that he should keep his place. The recriminations excited by his harangue would have dishonoured a jockey cheapening a horse. People who constantly complain of Congress, will do well to mark this instance of their superiority over a British parliament. In the latter assembly, it is usual for each party to name a candidate, whose character becomes a topick of violent panegyrick. The speaker, when elected, earnestly solicits leave of the House to decline an office for which he is unequal; and the ridiculous scene ends with two members taking him by the arm, and, with pretended

compulsion, leading him to the chair. The legislators of America practise none of this grimace. Mr. Dayton did not affect to refuse an office, in itself highly honourable, and for which the sequel has proved him to be very well qualified. On an emergency of this kind, the expressions of a congressional speaker are few, and such as naturally suggest themselves to a man of sense and education. The office of British speaker is reported, including perquisites, to be worth eleven thousand pounds sterling a-year. From the present enormous expences of living in Philadelphia, the savings of an American speaker can hardly deserve to be named. This contrast may teach those who murmur at the federal government to know its value, when compared with that British constitution, which has become the political Dagon of some people in America. From chusing a speaker, the House of Representatives proceeded to chuse a clerk. Mr. Beckley was again appointed, after some unexpected opposition, for which it is hard to give a satisfactory reason.

In the preceding session, the senate had been still more backward than the House of Representatives to attend their duty. The latter did not proceed to business till the 10th of November, 1794, waiting for the Senate. This made an additional loss of twelve hundred dollars for wages to the Representatives, besides the eight hundred dollars already mentioned. At last they went into business without waiting for the Senate, who did not form a quorum till the 18th of November. They consist of thirty members, besides the Vice-President; of these thirty, sixteen are requisite for a quorum, but on the first day of the session only *eleven* appeared. Even the Vice-President, Mr. Adams, who is paid five thousand dollars per annum, for doing almost nothing at all, did not come forward till the 10th. By the 18th, five other Senators had crept on, so that they lost above a fortnight before they could *half* assemble themselves. The wages of the Senators kept in idleness for the intervening time, amounted exactly to eleven hundred and forty dollars. This has been proved by comparing their respective dates of arrival, as marked on the Journals of the Senate. Thus the wages lost in the two Houses collectively came to between three and four thousand dollars. Those absentees in each House, who could not give a proper explanation for non-attendance, should have been fined for their neglect of duty. If a planter in Virginia were to

lose three thousand dollars, demonstrably and totally by the fault of his overseer, a court of equity would entitle him to damages. These remarks aim not at particular persons or parties. They honestly delineate a contempt of public business, which the whole city of Philadelphia saw with indignation, and which deserves to be held up as a beacon to the present age and posterity. There is no use for appointing legislators, if they will not mind their duty. In December, 1795, the Senate formed a quorum on the very day appointed for their meeting. After the Representatives had elected a speaker, clerk, and other officers, a joint committee from both houses waited on the President; they informed him that Congress were assembled and ready to receive any communications which he had to make.

On the 8th of December, the President came to the chamber of the Representatives, and, as usual, addressed them in a speech. He mentioned the provisional treaty made by General Wayne with the Indians north-west of the Ohio; the danger to the south-western frontier from outrages recently committed by citizens of Georgia on hunting parties of the Creeks; a letter from the present Emperor of Morocco, recognizing the treaty between his father and the United States, and another from an American agent appointed to Algiers, which promised an immediate peace; the British treaty, and one on the tapis with Spain, were likewise pointed at. The prosperous state of agriculture, commerce, manufactures, and population was adverted to. The American mint was recommended to attention, as also some steps towards providing for an amicable intercourse with the Indians, and a provision for the fulfilment of public treaties. The speech of the President conveyed no shabby requisition for discharging arrears of a civil list, no malicious invectives against the conduct of other nations, no swaggering rhapsody concerning the dignity, the resources, and the vengeance of the United States. Our chief magistrate is not solicitous to plunge his countrymen into a foreign war, that he may drown the domestic voice of truth, or secure a majority of partizans in Congress, by the distribution of jobs and contracts. He has nothing to dread from the strictest investigation of his measures. George the Third has seldom pronounced a speech in Parliament, which was not immediately reprobated by the minority of members, as pregnant with absurdity and untruth. It is one of the privileges of a

British legislature to consider the royal harangue as a fabrication by the minister, and under that veil it is torn to pieces. As an instance, there may be quoted the damnatory remarks of Charles Fox, on the 14th of December, 1792, respecting a speech just then made by the British king. This man, and his ministers, have formerly declared that they could not negotiate with France, because that country was divested of a *regular* government. At the same moment, they were treating with the *regular* administration of Algiers for an attack on American commerce; and now, when victory invariably perches on the banners of the French republic, this very king dispatches an envoy to solicit her friendship. Such inconsistency is foreign to the American constitution.

The President having delivered his speech, retired, as did also the Senate; the House of Representatives then ordered that, during the session, each member should be furnished, at the public expence, with three Philadelphian newspapers. The charge is trifling, but it is worth while to enquire on what article of the constitution this privilege is founded *, as well as why members are authorized to frank their letters. In Britain the latter indulgence has swelled into an enormous abuse. In spite of many useful restrictions adopted by Mr. Pitt, it was on the 10th of April, 1795, stated in the House of Commons by General Tarleton, that seventy, and even ninety letters, have been franked by one gentleman in a single day, and that one member alone had in this way saved of postage four thousand pounds sterling per annum. These details ought to warn the federal government against granting this privilege. To say that it has not yet been abused is not a proper answer. The time existed when a British House of Commons were as much above suspicion of being corrupted as the American Congress are at present.

On the 9th of December, Mr. Vans Murray moved in the House of Representatives, for the nomination of a com-

* In some parts of North Britain there was lately a practice adopted by the clergy, which is not entirely dissimilar to this congressional perquisite of newspapers. When a minister had to attend a periodical meeting of his brethren, he very gravely put his hand into the box containing the collections for the poor of his parish, and abstracted the sum requisite for his travelling charges. This precedent vindicates our legislators from suspicion of peculiarity, when they defray an incidental expence out of funds distinct from their own.

mittee to draft an answer to the President's speech. Mr. Parker said that he had always disapproved this practice of making an address, and of the House leaving their business to go in a body and present it. He recommended that a committee should wait upon the President personally, and thank him for his speech. He observed that in last session the framing of such an address cost very long debates, and produced very great irritation. He wished for unanimity and dispatch. On that account he preferred a verbal message. He moved an amendment to that effect of Mr. Murray's resolution. He was seconded by Mr. Macon; but only eighteen members rising in the affirmative, Mr. Parker's amendment was negatived. A committee were then appointed, and an address from the House, and another from the Senate, were a few days after presented in common form to the President. Public curiosity had been highly excited for the opening of this Congress. It was imagined that, in some shape or other, they would immediately enter upon the merits of Mr. Jay's British treaty. This did not happen in either house. The Senate had now, for the first time, opened their doors to admit strangers, and in framing a reply to the President's speech, they made some allusions to the treaty. But the House of Representatives preserved a guarded silence. They well remembered what remarks had been made on the length of their debates in the preceding session, when drawing up an address to the President, and which occupied in disputation about five complete days. Besides, they had not yet found time to learn the sentiments of each other, or the strength of their respective parties; and they were unwilling, on a subject of such importance, to risk a premature avowal of opinions. It was visible, however, that the storm, though not ready to burst, was hastily gathering; and during the discussion of this address some speakers approached to the brink of a contest.

As newspapers are powerful in their operations on the public, it may be proper here to take notice of some attempts that were afterwards made for swelling this speech into an alarming magnitude of importance, and for degrading, at the same time, the dignity of the country. In the Philadelphia Gazette, of the 5th of April, 1796, there appeared two extracts of letters said to be written from London. The first is dated the 15th of January last, and conveys a panegyrick on the President, which, to borrow the stile of

Shakespeare, is *laid on with a trowel*. His speech, it is said, excited *unbounded admiration and applause*, has *raised the American stocks*, given *confidence* to all who have property in the United States, and brightened the countenance of every friend to liberty. "Into whatever company I go," says the rhapsodist, "the president is spoken of in *the highest terms*, as *the first person of the age*, and *the ornament of his species!*" We are then referred to an eulogium on the speech, and its author, by Mr. Thomas Erskine, and told that all the London newspapers are pointed in praise of it.

Now what signifies this nonsense, and there is much more of the same kind, to the people of America? Alexander the Great was once asked to hear a man, who could imitate the notes of the nightingale. *I have heard the nightingale herself*, was his rational reply. The fellow-citizens of the president, require not the help of Thomas Erskine, in forming an estimate of his value. As to the rise of American stocks, that may be accounted for on grounds entirely unconnected with any man's speech. The people of England have long bestowed unbounded admiration on Charles Fox, that ringleader of electioneering bludgeon men, and this very Thomas Erskine has been one of his loudest encomiasts. The applause of such people, like a counterfeit bank note, is a present not worth acceptance. This speech raised but little enthusiasm, in those to whom it was addressed. It was like its predecessors, a judicious and respected production; and this is all which needs to be said of it. Eighteen members in the House of Representatives, wished to give the president a verbal answer, which shews that their admiration was tolerably cool. But what does the writer mean by attempting to foist upon us the opinions of Englishmen about this speech? Americans are competent to judge of its merit. If the English have really such regard as is here pretended for the president, why do they perpetrate those systematic outrages on the flag that his office requires him to protect? You first tweak a man's nose, kick his breech, and daub his eyes full of mud. You then take off your hat, and make him a polite bow. This is a pretty sort of admiration. Thus much for the *bombastical* part of the letter. We now come to its *malignity*. "You see what encomiums this excellent man meets with from *foreigners*, while some of his own countrymen are so lost to all sense of propriety and gratitude,

“ as to traduce him in the public papers. Really the pieces with which a certain newspaper of your city teems, are insufferable, and provoke the *execration* of all such as are not callous to every generous and grateful sentiment.” The first magistrate of a country is not the *more* worthy of its confidence because he is the favourite of its implacable enemies. Common sense would make an opposite conclusion. The latter part of this passage, is levelled at the printer of the Aurora, Mr. Bache. His political correspondents may sometimes have indulged unseasonable asperity; but they have likewise published seasonable truth. Many pieces have appeared in the Aurora, in direct opposition to the avowed political principles of its editor. This was a mark of impartiality, of which some newspapers in this country are not able to boast. As for French intelligence, the Aurora has long been above a competitor. Mr. Bache has himself translated and published a great number of original and valuable pieces of that sort, which perhaps, without his aid, never would have appeared in the English language.

The second of the two letters from London above-mentioned, is dated the 2d of February. It says that the *appeals* are suspended, until the measures of the House of Representatives as to the treaty are known. Whether afterwards they will be favourable, *it is impossible to say*. This is certainly great consolation. Five hundred American vessels have been seized in the midst of peace; and the proceedings to recover them in British courts of law have been suspended, no mortal can tell for what reason, or for what distance of time. The writer next speaks of fifteen hundred English emigrants, who are coming over in a body to Pennsylvania, next spring; and he seems to think, that the hope of such an accession of citizens should be another motive to embrace the treaty. The story is an absurd fiction. The British aristocracy will suffer no such adventure. Were it true, America needs to care very little whether these people come here or stay at home. If their principles were not truly republican, they might, instead of an advantage, prove a curse. The writer goes on thus: “ I cannot tell you *the effect* which the President’s speech has produced in this country.” (Truth for once! It has produced none at all.) “ It (the speech) will be the means of pouring SOME MILLIONS STERLING into the lap of the United States.” For the sequel of this delicious information, the

reader may apply to the Philadelphia Gazette. These letters are perhaps the production of some tory satirist. At least if an incendiary had wanted to burlesque the president and his speech, this is the language which would best have suited so bad a purpose.

Nothing farther happened in the House of Representatives that attracted much public notice, from the time of addressing the President, till the 28th of December. A discovery was, on that day, laid before Congress, of a singular scheme of land-jobbing, ascribed to Robert Randall and Charles Whitney, two persons who had lately been concerned in trade with the Indians. The circumstances deserve a detail; but the accounts of this affair, and of the proceedings in Congress, as published in the Philadelphia Gazette alone, would fill a large pamphlet. It therefore becomes necessary to make an abridgement. The discussion, from the beginning to its final termination, on the 13th of January, 1796, took up almost the whole time of the House for ten days, and hence cost the public about five thousand dollars of extra-congressional wages. The business was opened, as follows.

Mr. William Smith requested the attention of the House. He understood that a memorial was, this morning, to be presented from individuals, applying for a grant of a large tract of western territory, and as the House had referred all such applications to the committee for bringing in the land-office bill, of which he was chairman; and as it was probable that the memorial about to be presented would be disposed of in the same manner, he conceived it a duty incumbent on him to disclose to the House, at this time, some circumstances which had come to his knowledge. On Tuesday evening last, one Randall called on him, requesting an hour of confidential conversation. In the interview which took place, Randall made a communication to the following effect. He intended to present a memorial on the Monday following to Congress, for a grant of all the western lands, lying between lakes Michigan, Erie, and Huron, to the amount of about twenty millions of acres. He, and his associates, some of whom were Canada merchants, who had great influence over the Indians, proposed to form a company, and to undertake the extinction of the Indian title, provided Congress would cede to them the fee-simple of the land. The property would be divided into forty shares, twenty-four of

which should be reserved for such members of Congress as might favour the scheme, and might be inclined to come into it, after the adjournment of Congress, on the same terms as the original associators. Randall himself had the disposal of twelve shares, for members from the southern states, and a colleague of his, a like number for those of the eastern states. A certain number of shares were to be the property of those Canada merchants, who had influence over the Indians occupying those lands, and who would, if this plan succeeded, pacify those Indians; who were the most hostile to the United States. He added, that General Wayne's treaty was a mere delusion, and that without the co-operation of those influential persons, the United States would never have peace in that quarter. Mr. Smith told this overture the next morning to Mr. Murray, one of the members from Maryland, requesting his advice how to proceed on so delicate an occasion. Mr. Murray recommended a disclosure to Mr. Henry of the Senate. On a consultation with those gentlemen, it was resolved as Mr. Smith's duty, to make an immediate communication to the President; which was done.

Mr. Murray rose next. He had received an application of the same nature, but having already heard of the proposal, "I was," said Mr. Murray, "in a state of preparation, and my virtue had not such a shock to encounter, as that of the gentleman last up." Mr. Murray had advised Mr. Smith to give Randall another meeting for the purpose of developing his scheme and expectations more fully. Mr. Murray said that Mr. Smith informed him on Wednesday morning; next day in the morning he informed Mr. Henry of the Senate. Mr. Smith, on that day, informed the President. On the same day Randall was introduced to Mr. Murray, and asked an interview at his lodgings; he gave him an appointment at five in the afternoon. Mr. Henry and he were together when Randall came in. Randall talked about the policy of extinguishing the Indian title to the peninsula, formed by Lakes Erie, Huron, and Michigan, containing eighteen or twenty millions of acres of very good land. He spoke in terms that might have been employed from a pulpit. He made no corrupt overtures, till Mr. Murray had carried him into his own apartment. There Randall opened his proposals, as had been before mentioned by Mr. Smith, observing, that if Congress would

sell this land to him, and his company, they intended to divide it into forty or forty-one shares. Twenty-four shares were to be appropriated to such members of Congress as chose to support the memorial, which would be presented on Monday. The members were to have their shares upon the same terms on which his company should obtain the land. The company would give five hundred thousand, or perhaps a million of dollars; but on Mr. Murray's apparent acquiescence in his views, he said that the shares would be given to the members who supported the measure, if they pleased to accept them, after they returned to their homes. Mr. Murray started a difficulty about the embarrassment of land speculations, for which he personally had no genius; and then Randall instantly turned out the cat, and told him that if *he* did not choose the share of land, he should have cash in hand for his share. Mr. Smith and Mr. Murray had resolved to disclose this to the House, lest some innocent member might offer a memorial, and become liable to suspicion. Randall had hinted that larger proportions would be assigned to the more active members, and lesser ones for *the small fish*.

The Speaker expressed a wish that some gentleman would move for an order to apprehend Randall.

Mr. Smith said that a warrant to this effect had yesterday been issued by the President, and to support which, Mr. Smith had made oath before a magistrate to the particulars above mentioned. He hoped that by this time the person was taken.

Mr. Giles rose next, and observed that an application from the same Mr. Randall had been made to himself. Besides a repetition of some particulars already stated, he told Mr. Giles that he had already secured thirty or forty members of this House, but he wanted, if Mr. Giles recollected right, to secure three other members. He added, that he had already secured a majority of the Senate. When this proposal was first made, which he thought was about ten days ago, a member from New-York, (Mr. Livingston) was present. Randall had even gone so far as to say, that a written agreement was drawn out, and subscribed by a number of eastern members, and he wished Mr. Giles to extend another obligation of the same kind for the southern members, the purport of which paper was understood to be,

that the members who voted in support of the disposal of the lands, were to be secured in a stipulated share of them, without having their names mentioned in the deed. Mr. Giles was solicitous to learn the names of the members who had *already* entered into the negotiation, but Randall assured him, that, from motives of delicacy, he durst not communicate any of the names. Mr. Giles then desired a sight of the agreement, that he might be able to comprehend its meaning before he should attempt to draw any similar paper. The man called a second time, and, as Mr. Giles conceived, about four days ago, but never could produce either the deed or any draft of it. Mr. Giles had already communicated the proposal to several members, and in particular, to the Speaker.

Mr. Christie said that he was the person who had introduced Randall to Mr. Smith and Mr. Murray. He had long known him as a respectable man. He had mentioned to Mr. Christie, in general, that it was a landed speculation; and hinted that he, Mr. Christie, might accept of a share. In reply, that gentleman assured him, that he could not be concerned in any such transaction. Randall had not, to Mr. Christie, insinuated that any undue advantages would accrue to members supporting the intended purchase.

Mr. Buck, a member from Vermont, mentioned, that a person of the name of Whitney, who appears to have been an associate with Randall, had called upon him in the country, with a proposal of this kind.

Mr. Madison said that Randall, had also called upon him, and told him of his having waited upon many members, and, among the rest, upon the Speaker. Mr. Madison said that the conversation was rather short, owing perhaps to the coldness with which the advances of Mr. Randall were received. Mr. Madison had already learned, through Mr. Giles, the state in which the business was. He did not wish to alarm the person by too much abruptness, and at the same time, he did not wish to give himself unnecessary trouble about it, as he understood that it would be properly managed without his interference.

A resolution past for apprehending Whitney. Mr. Harper moved that the warrant should comprehend Randall. An objection was started of his being already in the custody of the city marshall. Mr. Livingston observed, that though

this might be the case, yet the offence was bailable; and by this means, Randall might escape. Mr. William Smith and Mr. Swanwick likewise recommended that Randall should be included in the warrant; and this was done. Randall had, however, been already apprehended. During the whole debate, he stood in the lobby, under the gallery of the House, and betrayed every external symptom of alarm. When the amendment for seizing him was put, he attempted to retreat. He was observed by the door-keeper, who recognized his person, and pointed him out to the city marshall, who was present, and had received a warrant from the President for seizing him. He was apprehended, and Charles Whitney was a short time after taken into custody.

Next day, the 29th of December, Randall was brought to the bar. He requested time to prepare an answer to the charges against him. He was ordered to be ready on the morrow at twelve o'clock. Mr. Blount then moved a resolution, which was in substance, that it should be made a charge against Randall, that he declared to a member of the House, that not less than thirty Representatives had engaged to support his memorial; and that he should be interrogated on this point.

Mr. Murray called upon gentlemen, by their sensibility to personal dignity, and the character of the House, to arrest the motion. Its tendency certainly was to place the honour of the House, or of a very great part of it, in the power of a man of whose profligacy of principle there could be no doubt. Will you, he observed, permit, nay invite him, whom you arraign at the bar of this House, to be a *public accuser*! Will you adopt a charge against him, which is in its nature an imputation, that however lightly and wickedly made, will implicate perhaps innocent men. These men, to rescue their own reputations, will be obliged to risk their characters, on the weight of their veracity, by denying this man's charge in the face of a world but too prone to suspect. By this motion, Randall's assertion to Mr. Giles, the only member who has mentioned it, is to be alleged against Randall as an offence. That Randall said that thirty or forty members were *secured* he had no doubt, but he believed the fact to be that Randall was both deceived himself, and attempted to deceive the gentleman. "Why," said Mr. Murray, "the fellow told

“ me that there were thirty members secured.” Mr. Murray had not thought proper to state that circumstance, because he did not so much consider it as a fact material to the detection of Randall’s guilt, as it was one which might afford malice an opportunity of affixing a stigma to any thirty or forty names at which personal enmity might point. No public good could result from such a disclosure ; for the assertion of Randall could not among men of honour be deemed a sufficient ground of suspicion ; and yet the malice of the world, or the rancour of personal enemies might attach suspicion and infamy to almost the whole House, from the indefiniteness of the charge. When Randall informed him, on Thursday night, that thirty members, would support his measures, he had felt in the very conduct which he then was himself pursuing to detect Randall, to arrest his scheme, a principle of candour towards others, which taught him that other gentlemen to whom Randall communicated his scheme *confidentially*, were determined as honestly as himself to crush the plot against the honour of the House. He knew that he who would be wicked enough to attempt seduction, might be weak enough to use this intelligence artfully, for the purpose of leading him the more readily to accept terms of infamy ; because the object was painted as easily attainable ; and that Randall might wish to diminish all qualms, by exhibiting a pretended group of accomplices, whose company would at least diminish the appearance of singularity. I entertained, said Mr. Murray, no suspicion of any man ; I knew Randall to be a corrupt man from his offers to myself. I therefore placed all his intelligence to the score of flimsy art. I knew that such a man was not to be fully believed, where his interest was to magnify his success. I drew favourable auspices with respect to the corps to which I belong, from another piece of intelligence of his, which was, that he communicated to some members, one of whom he had named, and whom I knew to be a man of honour, in what he had called the *general* way. This general way was a display of the fonder part of his scheme merely, and not the corrupt. It consisted in developing the advantages which would result to the Union in the disposal of their lands, provided harmony with the Indians could be secured. In this view of his plan, he gave the subject an attitude far from unimposing ; and I conceived that, as in proportion to

the numbers engaged confidentially, he must know that the hazard of detection increased, he would not communicate the corrupt view as long as he found that the more honest part of the policy appeared to strike any gentleman as a measure useful to his country; I therefore *did not believe* Randall, in the sense he evidently intended. Therefore, Sir, I did not feel myself at liberty to mention the assertion which I conceived to be unavailing as a circumstance necessary to the example I wished to make, but which if communicated I thought might cast a stain, by the mystery that enveloped it, upon a body whose character ought to be held sacred to the confidence of the country. My duty was to bring Randall's attempt to corrupt unequivocally into light, not by repeating all the arts which he excited to corrupt; nor by exhibiting them in a way that might wound the feelings of men of honour, who, if charged even personally by Randall, would have no refuge from odium but in their characters and counter-assertion; this though always conclusive with those who personally know them, is not a protection to minds of sensibility against the stings of calumny. The voice of fame is not composed from the voice of men of honour. It was, he said, in the spirit of such reflections, that he, and the gentleman with whom he had concerted the mode and time of disclosure (Mr. W. Smith), had determined to trust rather to the as yet unstained honour of the House, than to the loose declarations of Randall; and therefore had resolved on Friday morning to make the disclosure, before that some gentlemen, innocent of the corrupt scheme, and acquainted with the sounder part of the plan only, might have cause to blush at having presented a memorial which it would be their duty to defeat and to cover with infamy. If this charge is exhibited against Randall he will confess or deny it. If he confesses it, and in the disposition that often accompanies detected guilt, should name particular gentlemen, though their counter assertion would completely, in Mr. Murray's mind, outweigh the charge of a corrupt and profligate accuser like Randall, yet would every man of delicacy have cause to regret, that merely for the purpose of adding to the charges against a man proved to be wicked, a stain had glanced from him upon a name innocent and honourable. Let gentlemen act with magnanimity upon this occasion. Let them resist a motion, which, however purely conceived, may eventually wound honest fame,

without detecting guilt. Mr. Murray solemnly believed that Randall's assertion was either false totally, or true only as it respected those who had listened to him, for the purpose of making an example, or those to whom he had spoken in what he called the *general* way. If Randall denied this charge, it would rest on the assertion of the gentleman from Virginia, but could not affect members farther than as the measure of enquiry seemed to imply suspicion. He and Mr. Smith had both acted upon the presumption of innocence in members, and they had resolved on the timely disclosure yesterday, lest even *one* member, however innocent, might be placed in a painful situation by presenting the memorial. If Randall is charged with this as an offence, he verily believed the House betrayed its own honour to the malice of the world; he would therefore vote against it. Mr. Murray did not doubt that in every district on the continent, thirty *favourites* would be pointed out, whom the people in that quarter, or at least some among them, would be disposed to consign to reproach, and perhaps there was not one district in the Union, where the same thirty members would be named. It would be said, "Sir, they are not named, but *I know who are the men.*" So rapid were the communications of the press, so keen the appetite for scandal, that when once the story was circulated, it might be impossible ever to get rid of it.

Mr. Giles replied. He was in favour of the motion of Mr. Blount. He said it was evident from the way in which this whole communication had been brought forward, that there had been no previous correspondence between Mr. Murray and himself. They had felt differently. Mr. Giles had informed the Speaker of the House. Mr. Murray and Mr. Smith had communicated the affair to the President. Mr. Giles had considered it as best to wait in silence, till the petition of Randall should come forward. Mr. Murray had suggested a variety of delicate motives for breaking the matter to the House, lest the petition should come forward, and hurt the feelings of an innocent and unsuspecting member. Mr. Giles did not wish to diminish the credit fully due to the gentleman in this respect. He himself had felt and acted somewhat differently.

Mr. Hillhouse was convinced that there was not a gentleman in the House, whose character rested on so slender a foundation, as to be affected by any thing which this man

could say. He felt no anxiety for the reputation of the House, for he knew that it was not in the smallest danger. The resolution went merely to make Randall confess, that he had said so and so. It implied nothing to affect members. A man covered with infamy making such charges could not expect credit, or obtain it from any body. Mr. Hillhouse was in favour of the resolution for interrogating Randall on this head.

The House agreed to the resolution. Randall, who had been ordered to withdraw during the discussion, was called in, and heard it read. He was informed that he should be ready to answer it to-morrow.

Charles Whitney was then brought to the bar, and the Speaker examined him as follows: What is your name? Charles Whitney. What is your usual place of residence? Vermont. What are you? I was bred to the farming business. Do you know one Robert Randall? Yes. The Clerk will read to you the charge that has occasioned your being brought here. The charge as stated in the journal of the House, was then read to the prisoner. He was next interrogated by the Speaker. Are you guilty or not guilty? Not guilty. Are you ready to speak in your defence? I am ready to tell every thing. Are you prepared to do so just now? Yes. Whitney then stated that he was connected with Randall in a plan for the purchase of eighteen or twenty millions of acres of land, lying between the lakes Erie, Huron, and Michigan. He had come to town on the design of presenting a petition to Congress, but had no knowledge of any improper kind of applications. Randall had several times called upon him, at his lodgings at the Green Tree in North Fourth-street. He considered the scheme to be of probable advantage, and a *handsome thing* to the United States as well as to the prisoner himself, who repeatedly observed that he would not have engaged in it, but with a view partly to his own interest. He had wished to engage influential characters in the business. He was then asked what associates he had. He answered Colonel Pepoon and Mr. Jones, of the state of Massachusetts; and Mr. Ebenezer Allen, of the state of Vermont. He also mentioned the name of another person, which was not distinctly heard. He was asked if the partners meant to divide the land into forty shares. He answered forty-one; but this was only in speculation. They had but a rough

idea of the extent of the land, which was inhabited by the Wyandots, and was of a very good soil. The land was to be divided among the proprietors. The prisoner knew, in general, from Randall, that he called on Mr. Smith, and other members; but was not privy to, nor suspected any unbecoming overtures. He was then asked the names of the associates at Detroit. He mentioned Mr. Erskine, Mr. Robertson, Mr. Innes, Mr. Pattison, and Mr. Erskine, jun. He said that some of them were Indian traders, to a considerable extent. He had called at Mr. Buck, of Vermont, as he was riding by his house. He knew him to be a gentleman of character, and whose name would add credit to the business. He had told him that several other persons intended to be concerned, and that, if it was consistent with his situation as a member of Congress, he would be glad to have him engaged, but at the same time he carefully noticed that this proposal was conditionally made, and only *if it was proper*. He was asked what Mr. Erskine was. He is called Judge Erskine, but whether he is now a judge, or only was one in some other part of the country, at a former period, the prisoner cannot tell. He said that he came to Philadelphia about a month ago. Being asked why he had been so long in presenting his petition, he replied that he had been seized with a bad cold, had been sick, and wanted to make a personal explanation to the members, before bringing the affair into the House. Have you got any new associates in this city? None. Mr. Livingston then proposed a question whether any of the shares had been left unappropriated by his associates and him? Answer; it was at his own option to dispose of shares as he pleased. He was asked if he could produce any written agreement between himself and his associates. He believed that he could, and that it would do him no harm to do so. It was at the Green Tree. But, as a matter of candour, he requested time to consider whether the production of it could hurt him or not. This ended the examination.

Mr. W. Smith then moved, that Whitney should be ordered to re-appear at the bar, at twelve o'clock to-morrow; that he should be ordered to produce the bond; and that till to-morrow, the two prisoners should be kept in separate apartments.

Mr. Goodhue requested that Whitney might be ordered to withdraw, which was done; he then related that the prisoner had made application to him at different times. Mr. Goodhue told him that he knew very little of the Western country. He had always lived on the sea-coast, and land-jobbing was quite out of his way.

Mr. Sedgwick said that, as no direct charge of corruption had been made against Whitney, it would be improper to detain him a prisoner. It might be considered as a wanton act of arbitrary power.

Mr. Buck then rose, and said that he had not yesterday told the whole of what passed between him and Whitney. Mr. Buck had received offers plain enough to be understood. He might either have land, or money in lieu of it. The motion of Mr. W. Smith was then carried.

On the following day, a petition was presented from Randall, requesting that he might be indulged with a reasonable time to prepare his defence, and with counsel. Mr. Murray was decidedly for the prayer of the petition. He wished the prisoner to have the advantage of the ingenuity of all the counsel whom he chose to employ. He thought Randall certainly entitled to the aid of counsel, as well on his examination as on his defence; and he believed that the dignity of the House, as well as the rights of the offender, would be best consulted by permitting him to have every advantage. As he was one of those who disclosed the prisoner's crime, so he felt himself peculiarly bound to see that every indulgence, consistent with the justice which gentlemen owed to themselves, should be extended to him. He felt that the grant of the prayer would be a particular indulgence to himself.

Mr. W. Smith was very ready to allow the prisoner counsel for his defence, but in so doing, he wished it to be understood not as a matter of right, but of favour. He was apprehensive that gentlemen in proceeding from one step to another, would at last reason away the privileges of the House altogether. He endeavoured to point out a distinction between the prisoner, and a person to be tried before a court of justice. As a favour, he would vote for allowing counsel. The House agreed to grant Randall till Friday, the 1st of January next. The bond between the intended purchasers of the land was then read. Charles Whitney was thereafter called in, and a minute of the information

given by Mr. Buck was read to him. He denied having made any corrupt overtures, and was ordered to withdraw. Considerable debates arose about the mode of procedure in examining the prisoners, who were not again brought before the House till Monday the 4th of January following.

CHAPTER II.

Miscellaneous observations. Wioming. Vermont. Their rapid Increase of Population. Case of the Ship Two Friends. Inland Navigation. Its advantages. Examples from France, England, Holland, Scotland, China. High Roads. A Journey to Baltimore. Whimsical Law in the State of Delaware. Lancaster Turnpike. British Accommodations for Travelling. Europe. Report of St. Just. Westminster Elections. Ditto at Philadelphia. Terms of Mr. Pitt's Loan for 1796. On Free Schools.

THE reader is perhaps tired of this land-jobbing business. To relieve his attention, the present chapter will consist of miscellaneous remarks respecting the existing situation of the United States. The contents of this volume are not always ranged in a series perfectly systematic, but a book, though very regular, is often very dull; and though somewhat desultory, it may chance to give amusement and information. In the third chapter, we shall return to Congress.

In spite of the national debt, and other untoward circumstances, the internal strength of America is advancing with rapid strides. Take one or two examples out of hundreds. During the war of 1775, the settlement at Wioming in Pennsylvania, was broke up by a body of Tories and Indians. The massacre was related, in very exaggerated terms, by Edmund Burke, in Dodsley's Annual Register, and has been transcribed into the continuation of Hume and Smollet's History of England. It has also escaped into Mr. Gordon's History of the American Revolution*. The scene

* In general this writer is accurate. Dr. Ramsay has borrowed largely from him without the smallest acknowledgement. Thus, among many other passages, the account of the battle of Breed's Hill by the latter, is entirely taken from Gordon; only a few trifling variations being made for the sake

was highly barbarous; but many alledged circumstances are without foundation. This is asserted on the authority of persons belonging to the settlement, who were present at the battle, and capitulation; and who were not disposed to celebrate the humanity of refugees and savages. It is not true that after the surrender of the forts there was a general massacre, or indeed any massacre at all. Now, since that disaster, and under many extremely discouraging casualties, the settlement has increased so greatly, as to contain about twelve thousand people; and is now strong enough to exterminate the six nations, who chiefly supported that British attack. In 1788, a lot of three acres and an half in the town of Wilkesbære in this settlement, was sold for fifty dollars. Last winter, *one half* of that lot, or one acre and three fourths of ground, was purchased for an hundred and thirty pounds. Within the period only of eight years, its value has risen very nearly in the proportion of *fourteen to one*. This circumstance was related by Colonel Franklin, late sheriff of the county.

In 1777, Burgoyne, with eight or ten thousand men, including savages of eleven different tribes †, alarmed the whole states of New England. At present, Vermont alone could muster a larger army than that which took him prisoner. The State had, in 1792, eighteen thousand five hundred militia, who do not, like some of those in Pennsylvania and Virginia, go to exercise with switches and tobacco-sticks. They understand the use of muskets and bayonets. About the end of last war, Vermont was supposed to contain but thirty thousand inhabitants. The census of 1791 found eighty-five thousand, who must, within the last five years, be greatly augmented. The population of the adjacent states has also increased so rapidly, that a second Burgoyne, advancing from Canada, would require an army

of saving appearances. If his skill in arranging and polishing his materials had borne any proportion to his diligence in collecting them, Gordon must have held an eminent rank among the historians of America. His book did not succeed in Britain. It contained too much unpalatable truth.

† An anecdote, so characteristic of English humanity, we learn by a letter from Lord Balcarras, recently printed in the newspapers, respecting the Maroons of Jamaica. His Lordship, who was in Burgoyne's army, says that he had served with that number of Indian nations.

four times more numerous than the former, before he could arrive at Saratoga.

Our capacity of resistance by sea bears not a proportion to that by land. Accordingly, since the breaking out of the present war, the most wanton outrages have been incessantly perpetrated on American shipping. The following example may suffice at this time, as a specimen of hundreds. In December, 1795, Mr. John Swanwick, merchant in Philadelphia, printed a copy of the proceedings on the trial of his ship *Two Friends*, in the court of vice-admiralty in Bermuda. This trial began on the 17th of August, 1795, before John Green, judge of that court. The *Two Friends* was taken on the 1st of August, 1795, by Josiah Bafden, commander of the privateer sloop *Favourite*. The allegations on which the seizure was founded, are as follow. First, that the ship herself, with cargo and lading, at the time of capture, did wholly or in part, belong to subjects of France, or others inhabiting the dominions of France. Second, that the ship was bound from Nantz, a port in possession of the French to the United States. Third, that the cargo was of the growth, produce, and manufacture of France. Fourth, that the ship was found without the proper papers. Fifth, that the papers found, were false and colourable. As to the property of the ship, her master, Samuel Williams, being sworn, answered to the tenth interrogatory, in these words. "There was a bill of sale made from James Dougherty, the builder of the said ship, to the aforesaid John Swanwick and Alexander Forster; the said Mr. Forster afterwards sold his part of the said ship to the said John Swanwick."

In opposition to this testimony, no evidence or pretence of it is produced. It is a mere *brutum fulmen*, thunder without lightening. Captain Bafden might as well land in Philadelphia and seize the counting-house of Mr. Swanwick, as belonging to *the man in the moon*.

Respecting the cargo, the invoice is dated at Nantz, in June, 1795. It is as regular, formal and complete, as prudence or anxiety could make it. The veracity of the certificate of the vice consul at Nantz is not called in question. The second and third of these allegations are not a ground of seizure, but an insult on common justice. Britain might as well at once declare war against the United States, in so far as the contagion of this precedent can extend.

With regard to the fourth article, the *Two Friends* was found with all the papers and documents which could be supposed or demanded as necessary; and as to the fifth, no proof was adduced in support of it; yet on the 16th of September, 1795, John Green gave sentence, that, "according to the stile, manner, and practice of *this court*, it appears to me that the cargo aforesaid is *liable to forfeiture!*" He acquitted the ship, and the private adventure of the mariners. From that part of the sentence which dismisses the vessel, Captain Balden, on the 24th of September, lodged an appeal, and she was only recovered on giving security in the sum of two thousand two hundred pounds current moneys of Bermuda, in case the appellant should succeed in his claim. The appraisers at Bermuda estimated the cargo at only four thousand one hundred and forty-two pounds, one shilling and ten pence Bermuda currency, while Mr. Swanwick, in his preface to the pamphlet, computes its value at upwards of *thirty thousand dollars*.

To such privateers, and courts of justice, may be applied what Pomfret says of Colonel Kirke's noted regiment.

Here nothing but the blackest demons dwell,
The refuse of the damn'd, the dregs of hell.
Here every breath, here every atoin's curst;
There's no degree in ill, for all is worst.

It is not hence designed to recommend military revenge. The United States are, in all respects, highly unfit for a foreign war; but though we cannot as yet take the British Lion by the beard, it is not necessary that we should rush into his embraces. In several cases, it may be supposed, that British cruizers have been justly warranted to seize and even to confiscate American vessels and their cargoes. But the number of these bears no proportion to those of down-right piracy, which has been often accompanied with impressment, and sometimes with murder. It is likely that there might be ascertained four or five hundred instances of British maritime robbery on America, within the last three years, and every one of them as perfectly notorious as the confiscation of the *Two Friends*.

But though the foreign trade of this country may be cramped by her want of a navy, yet internal navigation holds out an inexhaustible field for enterprise and exertion. Hitherto that branch of improvement has not been pushed on with suitable spirit. The communication by water be-

tween the Susquehannah and the Delaware has been permitted to lag most wretchedly. In spring, 1796, the Delaware Canal Company issued proposals for a loan. It is to be wished that they may find due encouragement. Were this great work happily finished, we might expect the expence of house-keeping in Philadelphia to fall one-half below its present exorbitant rate. The country round the Susquehannah and its numerous branches would instantly pour down on the wharfs of Philadelphia immeasurable quantities of flour, butcher's meat, poultry, butter, eggs, and other articles of subsistence, of which the farmers within twenty miles of this city, at present enjoy and abuse an oppressive monopoly. People on the Susquehannah, by means of a good canal, could afford to bring down the produce of their lands to market, to sell it at half the present price, and could after all gain what they would consider as a handsome profit. Among other articles firing would sink in its dearth, for the lands on the Susquehannah contain vast beds of coal. This valuable article may, in some places, be seen sticking out in large lumps, through the broken surface, where the banks of the river have been washed away or torn down by the stream. The city would soon come to be supplied with fuel in this way. The silly prejudice of some people against using coal must gradually vanish before the influence of economy and experience. The conscientious owners of woodland near Germantown have, for a long time past, been selling the same timber at seven dollars per cord, which may be had in Philadelphia for *five*, after it has been transported by water perhaps fifty miles down the Delaware. A fleet of colliers descending the canal and the Schuylkill, would dissolve this imposition. Such a downfall has often happened in consequence of a canal. Mr. Philips, in his history of inland navigation, gives an account of the first work of this kind executed by the Duke of Bridgewater. Before its existence, coals were sold in Manchester at sevenpence for an hundred and forty pounds weight. The canal reduced the price to threepence halfpenny. It is not then wandering in romance to expect that wood may yet be sold on the wharfs of this city for two or three dollars per cord. In North America this branch of improvement is only just beginning to be understood. The benefit which England has derived from inland navigation defies the skill of the accountant. Mr. Philips, in the fifth chapter of his

book, speaking of the canals of Holland, has this passage. "The *yearly* profits produced by these canals are almost beyond belief; but it is certain that they amount to more than two hundred and fifty-four thousand pounds (sterling) for about forty miles of inland navigation, which is six hundred and twenty-five pounds per mile, the square surface of which mile does not exceed two acres of ground; a profit so amazing, that it is no wonder why other nations should attempt to imitate what has been found so highly advantageous." In consequence of such precedents, there is no sort of speculation into which either the monied people of England, or the landed interest, rush with more eagerness, than that of cutting canals. On the 25th of October 1768, a meeting was held at Banbury, concerning a plan for cutting a canal from Coventry to Oxford, and fifty thousand pounds were immediately subscribed for this purpose. On the 11th of October, 1792, a meeting was held at Inverary in Argyleshire, respecting the cutting of a canal across the isthmus of Cantire, in the west of Scotland. The expence was computed at seventy-five thousand pounds sterling. Eighteen thousand pounds were instantly subscribed, and the whole sum in less than two months. There was likewise a large extra subscription for contingent expences. Yet this part of Scotland, from the tyrannical way of collecting taxes, some remnants of the feudal system, and other circumstances, is about as desolate as Siberia. In January, 1793, a subscription was opened at Edinburgh, for making a canal between that city and Glasgow. The distance is nearly forty-three miles, and the expence was estimated at an hundred and sixty thousand pounds sterling. This sum was directly subscribed. Many people complained that they could not get forward to put down their names. To silence this clamour, a second conditional subscription was allowed, that if the former sum did not defray the whole charges of the canal, the second class of sharers might come in for a proportion. This affair happened at the very time when Britain was going into the present French war. It is asserted, on good authority, that this new list of names amounted, in a few days, to an hundred thousand pounds. Thus two hundred and sixty thousand pounds, or about eleven hundred and fifty thousand dollars were subscribed without hesitation. Compare this detail to the history of the Susquehannah canal, dragging its slow length

along, like Mr. Pope's wounded snake, while we are giving ten or twelve, or sometimes fifteen dollars per barrel for flour, which this navigation, if completed, would bring to the market at six. So enormous is the price of vegetables in Philadelphia, that a healthy journeyman printer might devour almost one half of his wages in potatoes and onions. It can hardly be suspected that this canal will not defray the expence of making it. About thirty years since, a canal was projected between the rivers Forth and Clyde in North Britain. The benefits of artificial navigation were not then so well understood in that country as they came to be afterwards. Government, in order to get the work finished, advanced part of the money. They are now drawing ten per cent of interest, and the original adventurers have also reaped immense profits. These examples are adduced here to prove in what light the subject is held in those parts of the world where it is thoroughly comprehended. In England, almost no kind of project repays itself with such prodigious profits.

As this is a subject of immense importance to the United States, and as the most violent prejudices have occasionally been, and still are entertained against inland navigation, it may be worth while to say something farther about it. The Duke of Sully, the greatest and most successful prime minister that Europe ever saw, has the following observations. " France had in her hands, the infallible means of drawing to herself the whole commerce of the ocean, and Mediterranean, and of seeing them, without any great expence in the centre of her provinces. This would cost her nothing, but the labour of cutting a canal from the Seine to the Loire, from the Loire to the Saone, and from the Saone to the Meuse. The first glance of this project presents us with more than two millions a year*, which we would get from Spain alone, and which would be real and solid wealth, like all that which is

* By millions are understood so many livres. In the sixteenth century, this coin is said to have contained about three times its present quantity of silver, or not less than two shillings and sixpence sterling. An ounce of silver was at that time worth perhaps four in the present age. If this estimation be accurate, it raises the value of a livre to ten shillings of modern money, and that of the canal to a million sterling per annum.

“produced by commerce.” *Memoirs*, book XIX. This passage fully proves the opinion of Sully as to the general utility of canals. That of Languedoc which crosses France and joins the ocean to the Mediterranean, is one of the greatest efforts of human industry and ingenuity. It begins with a large reservoir, four thousand paces in circumference, and twenty-four feet deep, which receives many springs from the mountain of Noire. It extends sixty-four leagues in length, is supplied by a number of rivulets, and is furnished with an hundred and four locks, each of about eight feet in rise. In some places, it passes over bridges of vast height; in others, it cuts through solid rocks for a thousand paces.

Suppose that Philadelphia contains fifty thousand people, and that each of them consumes bread, and other victuals to the amount of a dollar per week. This comes yearly to two millions and six hundred thousand dollars. By completing the canal from the Susquehannah, put the case that our markets, like the price of coals at Manchester, shall be reduced to one half of their present dearth. Here are thirteen hundred thousand dollars per annum saved to the city. This is an object worth a second thought. If Philadelphia contains ten thousand families, consuming each of them six cords of wood in the year, these sixty thousand cords, at five dollars a piece come to three hundred thousand dollars*. If the canal, by conveying coals, were to reduce the price of wood to two thirds of its present value, the public would save an hundred thousand dollars annually. It is then a great cause of reproach to the citizens, if this Delaware Canal Company shall be embarrassed for want of an adequate loan to complete their patriotic undertaking.

Dr. Adam Smith, in his *Inquiry into the Nature and Causes of the Wealth of Nations*, has expressed himself on this subject, with his usual good sense, perspicuity, and completeness. “To establish,” says he, “the freest, the easiest, and the least expensive communication between all the different parts of the country can be done only by means of the best roads, and the best navigable canals. Good roads, canals, and navigable rivers, by diminishing the expence of carriage, put the remote parts of the

* In Edinburgh, the consumption of coals is estimated at five hundred tons per day.

“ country more nearly upon a level with those in the neigh-
 “ bourhood of the town. They are upon that account the
 “ *greatest of all improvements*. They encourage the culti-
 “ vation of the remote, which must always be the most
 “ extensive circle of the country. They are advantageous
 “ to the town, *by breaking down the monopoly of the country*
 “ *in its neighbourhood*. They are advantageous even to that
 “ part of the country. Though they introduce some rival
 “ commodities into the old market they *open many new mar-*
 “ *kets to its produce*.” (The people from Sulquehannah
 would buy in this city many articles which will not, as
 matters now stand, bear the expence of land carriage.
 Thus the canal would bring a two-fold advantage, to the
 citizens. It might save them a million and an half of dol-
 lars in *buying*, and gain them customers to the value of a
 very great sum in *selling*. Let us proceed with Dr. Smith.)
 “ Monopoly, besides, is a great enemy to good management,
 “ which can never be universally established but in con-
 “ sequence of that free and universally established com-
 “ petition, which forces every body to have recourse to it
 “ for the sake of self-defence. It is not more than fifty
 “ years ago, that some of the counties in the neighbour-
 “ hood of London petitioned the parliament against the ex-
 “ tension of the turnpike roads into the remoter counties.
 “ These remoter counties, they pretended, from the cheap-
 “ nefs of labour, would be able to sell their grafs and corn
 “ cheaper in the London market than themselves, and
 “ would thereby reduce their rents, and ruin their culti-
 “ vation. Their rents, however, have risen, and their
 “ cultivation has been improved since that time.”

The reader is requested to excuse the length of this ex-
 tract, because the reputation of Dr. Smith as an author, is
 equal to that of Sully as a statesman. He displays an
 intimate and extensive knowledge of mankind from the
 cabinet to the cottage, a supreme contempt of national
 prejudice, and a fearless attachment to liberty, to justice,
 and to truth. His Inquiry, with a few exceptions, is
 admired as a mass of excellence, a condensation of reason-
 ings the most various, important, original and just.

There never was a more egregious or provoking bubble
 than the rise of provisions that took place in Philadelphia
 and Baltimore, in July, 1793, on the arrival of the French

fugitives from St. Domingo. Even before they landed, a clamour was raised about the dearth which they would occasion of the necessaries of life. But this could solely happen by a combination among the persons who unhappily had it in their power to raise the market. This power they could only possess from the negligence or ignorance of those who superintended the police of Philadelphia and Baltimore, and above all from the total want of energy in the public themselves. When grain is not actually scarce in England, but comes to market in great abundance, the magistrates of London or Bristol know extremely well how to procure it at a reasonable price, in spite of forestallers, and without encroaching on the rights of individuals. Since July, 1793, the markets have been commonly almost double their rate previous to that period; yet no attempt has ever been made to check such gross extortion. This is the very height of stupidity. Pennsylvania contains about five hundred thousand inhabitants, produces and exports every year immense quantities of all sorts of provisions, and, if there was a foreign demand, the State is well able to furnish a far greater abundance. The arrival, therefore, of five or ten thousand strangers could be regarded but as a drop in the bucket.

Truth is often to be struck out by a collision of incontestible facts. Let us observe what has happened in other parts of the world, and then the citizens of Philadelphia and Baltimore* may judge how vilely they have been pilfered by the acuteness of monopolists, joined to their own negligence. Scotland is, by nature, a much poorer country than North America, and it does not, under its present aristocracy, produce a sufficient supply of corn for the subsistence of its inhabitants. In 1781, fifteen British men of war and nine frigates, under Admiral Parker, besides a large fleet of merchantmen from Jamaica, the Baltic, and other places, to the number of about six hundred sail, came all together, and *quite unexpectedly* into Leith Roads. A British ship of the line is very seldom seen in that station even in time of war; and this was the first and last fleet of ships from the West Indies that ever anchored in the Frith of Forth. The crews were estimated at twenty thousand men. They con-

* It is supposed that the observations apply with equal propriety to New York, and several other sea-port towns.

tinued in Leith roads for seven weeks. They were fully supplied with every thing which they wanted. Four transports freighted with provisions were sent down for their relief from London, and returned *without breaking bulk*. The crews from the West Indies were dreadfully afflicted with the scurvy, but an unlimited profusion of strawberries and other vegetables soon restored them to health. Now, *take notice to the conclusion and application of the story*. The markets of Edinburgh and Leith experienced only a small rise, which did not materially affect any body, and Mr. Creech, from whose letters to Sir John Sinclair part of this detail is extracted, even says, that the markets did not rise one farthing. But here he was misinformed. Thus a city and a sea-port-town, containing nearly twice as many people as Philadelphia, and in a country which does not produce an adequate supply of grain for itself, endured very little inconvenience from the abrupt intrusion of twenty thousand visitants. On the other hand, the metropolis of Pennsylvania, a city placed by nature in the very lap and bosom of exuberant and inexhaustible plenty, felt alarm, and justly, at the approach of two or three thousand fugitive creoles and negroes, who were to create a dearth of provisions, and who actually did so. This demonstrates a wretched defect in the police of the city; and the same observation suits Baltimore. If the magistrates of Edinburgh, or of most other towns in Britain, had discovered an approaching and great rise of prices, agents would have been dispatched to every corner of the country in search of a supply; and if provisions had existed, they would have been found. They would have been conveyed to the town where they were wanted at the expence of its public revenue, and sold to poor people at a reduced price. In Philadelphia nothing of this kind has been attempted or even proposed.

We sat, like patience in a monument *.

The Democratic Society of this city have spoken loudly about their zeal for the public good. While flour was at twelve dollars per barrel in Philadelphia, it was sold in Pittsburgh for three dollars. This is mentioned on the authority of a gentleman who resides in the latter place. Now, if the Democratic Society had sent up a waggon with four horses, the driver could readily have found a load

* SHAKESPEARE.

sufficient for defraying his travelling charges to the westward. He might come back, with twelve barrels of flour, in a journey of sixteen days, and as lodging for the greater part of the way is cheap, persons acquainted with that sort of business are of opinion that the man and his horses might be supported for three dollars per day. But say that the whole expences would be four dollars daily, or in whole, sixty-four dollars. Add thirty-six dollars for the price of the twelve barrels of flour, which would thus cost an hundred dollars, while in the market the same quantity would stand an hundred and forty-four dollars. Let the society, for agency and incidents, have charged eight per cent of their advances. After all the Philadelphians would have got flour at nine dollars per barrel, instead of twelve or sometimes fifteen. This would have been a very essential relief to multitudes. In Geneva, Berne, and most, or all of the cities and principal towns of Switzerland, public granaries are kept constantly full of the proper supplies for a considerable time before hand. Hence the market is uniformly served at a moderate price, whereas in Philadelphia we were lately paying thirteen dollars per barrel for flour that a year before that time could have been had for seven dollars. The rise of other kinds of provisions corresponded, and has produced mountains of inconvenience and vexation to individuals.

Now what should hinder this city from having a public granary? Nothing at all. No part of the world produces the necessaries of life in greater variety and abundance than Pennsylvania. Switzerland does not raise grain enough to support its people, so that their magazines are filled from foreign countries. As for Geneva, Voltaire used to say that this puissant republic had not as much extent of territory as would serve to bleach its linen; yet Geneva knows nothing of famine, and very little of a variation in the price of provisions, while Philadelphia has never employed the power which it possesses, of providing itself with subsistence on the most reasonable terms. These observations come home to the pockets of every one.

A bill was lately brought into the House of Delegates of the State of Maryland, to erect a company for cutting a canal between the bay of Chesapeake, and the Delaware. On the 14th of December, 1795, the further consideration of this proposal was deferred to the next ses-

sion of Assembly. A great outcry was raised against it, as fitted to ruin the town of Baltimore, because the whole produce brought down the Susquehannah to that place, would, upon the opening of such a communication, be conveyed to Philadelphia. This fact is very doubtful. The distance between the Delaware and Chesapeake, from Newcastle to Frenchtown, is only eighteen miles of level country. A canal would be of the greatest use to that whole tract, and to both Pennsylvania and Maryland, as well as the State of Delaware. Long essays against the canal appeared in one of the Baltimore newspapers. But theory must give way to experience. It will be difficult, if not impossible, to find an instance where navigable canals have impoverished or injured any corner of a country through which they run.

The Netherlands, and especially the United Provinces, are the best cultivated portion of Europe. They are as full of canals as the human body is of veins and arteries. The rugged surface of Switzerland hardly admits of artificial navigation. But England has a great number of canals, and Scotland has got some. Their advantages have exceeded the most sanguine calculations made by the original authors of these projects. Immense fortunes have, in the end, been raised, where the shares were for many years, reckoned worth little or nothing. Every parish in England is familiarly acquainted with details of this sort. Since the British East India Company desolated the plains of Hindostan, China is far better cultivated and peopled than any other spot of equal extent on the surface of the globe. By the common accounts, it contains somewhat more than a million of square miles, being much about equal to the extent of the present territory of the United States. China is sixty times as populous as this country, for it contains between two hundred and fifty and three hundred millions of inhabitants*. It is about four times more populous, in proportion to its area, than Connecticut. Perhaps one half of its wealth and prosperity are derived from its numberless canals. They are the admiration of every traveller. One of them is said to extend for eighteen hundred miles. Yet Peking does not absorb the prosperity of Canton, nor has Canton engulfed the wealth of Peking.

* *Vid.* the American edition of Guthrie's Geographical Grammar.

Look at Holland, that prodigy of industry and perseverance; at England, that mistress of agriculture, that miracle of manufactures, that metropolis of commerce! Look at China, that garden of the world! Is there in one of these three countries, a province, or even a village, that has been ruined by the vicinity of a canal? You shall as soon find out the philosopher's stone, or the perpetual motion.

It is easy to write volumes upon volumes to support the weaker side of any controversy. But let us appeal to the experience of intelligent and great nations, to the Chinese, the English, or the Dutch. An Englishman would laugh in your face, if he were asked how many boroughs in that country had been beggared by the neighbourhood of a canal. Every man who has seen Dublin is acquainted with the immeasurable conveniencies resulting to that capital, from an artificial water carriage. Deprived of canals, its two hundred thousand inhabitants would, in fourteen days, be dispersed or extirpated by famine. Its spacious university, its thronged harbour, its populous streets, and magnificent squares would become as desolate as the summit of the Alleghany. Peter the First of Russia was an enthusiast in this kind of improvement. In the end of the last century, he formed the plan of an inland navigation from Persia to Peterburgh. Colonel Breckell, a German, and Captain John Perry, an Englishman, were among others, successively employed in attempting to complete this noble work. The design was frustrated by the death of Peter, and even during his life, it was checked by the ferocious superstition of the Muscovites. They regarded the project as a kind of sacrilege. The governor of Astracan told Perry, "that God had made the rivers to run one way, and that it was insolence in man to think of turning them another way." A clamour as violent has been more than once excited in America. But if no discovery is to be adopted when it meets with powerful opposition, there is at once an end of all improvement. The art of printing was at first in some hazard of being suppressed, because it interfered with the subsistence of certain persons who earned their bread by transcribing manuscripts, and whose families would, as it was alleged, be reduced to beggary by the introduction of the press. Inoculation and the Christian religion have also been often successfully opposed by powerful individuals.

When windmills were first erected in England, a clamour was made against them, because it was said, that by abridging labour the poor would be cast idle ; nay much has been written to prove that all machines of this sort are injurious to society. It is the duty of a judicious enquirer to give battle to such paltry prejudices, to examine with candour and attention every circumstance of the point before him, to strip truth stark naked, and teach her to command conviction.

From canals, our enquiry proceeds of course to high-roads. Among the monuments of wisdom and magnificence that distinguished the ancient Romans, none were more deserving of praise than their attention to the state of public roads. As soon as a province had been conquered, a demarcation of high-ways began ; and it was often executed on a plan so durable as to leave at a distance all modern imitation. No such panegyric can be safely bestowed on the greater part of the high-roads in the United States. In remote parts of the country good roads can hardly as yet be expected. But between large towns, they might surely be kept in tolerable order. Those from Philadelphia to Baltimore exhibit, for the greater part of the way, an aspect of savage desolation. Chasms to the depth of six, eight, or ten feet occur at numerous intervals. If, as in other civilized countries, we have commissioners of high roads, they seem to maintain some private understanding with the practitioners of surgery. On the 6th of February, 1796, a stage coach left Philadelphia for Baltimore, about seven o'clock in the morning. The distance is little more than an hundred miles. The weather was, for the first four days, excellent ; nor had there been any remarkable fall of rain or snow for some time preceding to break up the highways. Yet it was not till the Wednesday following that the passengers reached Baltimore. From Philadelphia to Newport, the roads were tolerable. On quitting the latter place, they became frightful. A little beyond Havre-de-Grace, the axle-tree of the carriage broke through, on a part of the highway which chanced to be perfectly smooth. This was owing to the enormous number of passengers, and still more to the quantity of trunks and boxes which were, beyond all reason, crammed into and behind the coach. As no other coach could be had, the travellers and their baggage were stowed into a waggon,

and driven to the next stage, after being forced to walk several miles on foot before even a waggon could be found; one old gentleman, who could not stir, being for some hours left alone in the broken coach. The driver of the waggon affirmed that the passengers and their baggage did not weigh less than thirty-five hundred weight. On the evening of the same day, being the fourth of the journey, another carriage overfet with them. Some Ladies, and other people in it were dangerously hurt. The company pass the greater part of the night in a wood, where they contrived to kindle a fire, and where they were during the whole time in the midst of a shower of rain and snow. About day-light, or before it, they reached a miserable ale-house three miles from Baltimore, where the author, who had been soaked to the skin, was refused permission to dry himself at the kitchen stove. On coming to Baltimore, the whole company had determined to publish an account of their treatment in the daily prints, but on applying to an editor for that effect, he declined taking notice of the affair, because the masters of the stage-coaches might impede the circulation of his newspapers. It was understood that the same answer would be received from other printers, and therefore the design was dropt. Now, in the name of all that is rational, what can be the use of the press, if persons dare not publish a complaint of such infamous treatment? A stage-coach, like those used on the Baltimore road to Philadelphia, with a load of thirty-five hundred weight, was dreadful work. A passenger might have exclaimed with Falstaff's fair one, "I would rather be a giantess, and lie under mount Pelion." After paying eight dollars for a seat in the coach, the passengers were, besides the waste of useful time, put to a considerable extra expence by staying almost five days on the road, when the whole journey ought to have been dispatched, even in winter, within two days at farthest. In summer, it should not take up more than one day. Some of the travellers in the above coach would rather have returned to Philadelphia on foot, than have entered it again. But this alternative was to be attended with wading up to the chin, or swimming across different streams which have not yet been thought worthy of a bridge. In the month of February, neither wading nor swimming is extremely comfortable. This expedition was just like the greater part of those made during winter

between Philadelphia and Baltimore. The complaint is not confined to a single journey, and much less to a single passenger. Many coaches were, last season, overturned. Many passengers were severely bruised. It is affirmed that a driver, and a child were, at different times killed. Through a large proportion of the United States, travelling is alike perilous. Many excellent horses are annually destroyed by the absurd attempt of owners of stage-coaches to overload and overwork them. Interest as well as gratitude, requires humane treatment of an animal to whom mankind are indebted for so many both of the necessaries and luxuries of life. Notwithstanding the divine charter granted to the antediluvian navigator, and to which an appeal is so frequently made in defence of cruelty to inferior animals, mankind have no more title to inflict wanton torture upon a horse than upon a negro, or indeed a white man. The Holy Scriptures contain many passages, wherein tenderness to the brute creation is affectingly recommended. Yet though the English language has perhaps twenty thousand printed sermons, it will be hard to find so much as one of them devoted to this important subject. It signifies nothing, or very little, to make children learn by heart whole sheets of a catechism, unless they are habituated to sympathize with misery. When the school boy savage is encouraged or permitted to hang dogs and cats, to pick out the eyes of a sparrow, and to shoot a plover, not for the pleasure of eating but of *killing*, experience and age cannot fail of maturing this pupil into a complete barbarian. He is then fit to be an English bishop imprisoning dissenters, an English lieutenant of the navy, boarding an American ship at the head of a press-gang, an English judge on the Algerine bench of Bermuda, or an English Governor of Canada, with his face blacked, conducting the Wyandots to an assault on Fort Recovery.

About two years ago, the Apostolical Assembly of the State of Delaware, passed a law forbidding stage-coaches to cross their hand's breadth of territory on Sunday. The proprietor or driver of such a carriage, is liable to imprisonment for six months, and a fine of fifty pounds. No man of sense can assign a reason for this statute. When travellers are obliged, on such an account to stop at Newport or Wilmington, they are not likely to spend their time in a way more respectful to the Christian reli-

gion than if they were permitted to proceed: As they must halt at a tavern, some of their libations will be offered up in a stile not of the utmost reverence either for the law itself, the legislature which made it, or the pretence which gave it birth. If this assembly had attempted to form a plan for improving the high-roads, and for making decent bridges over the streams that intersect them, they would have been at least as honourably and advantageously employed, both for their constituents and themselves. It is to be hoped that the contemptuous pity of their fellow-citizens will compel them to rend asunder this rag of superstition.

The magistrates of Philadelphia or Baltimore might with equal justice prohibit the inhabitants of either of those two places from riding in carriages, or on horseback, on Sundays. Such an order would be regarded as the height of impertinence, and as something very like oppression. The state of Delaware has no pretensions to superior refinement in piety, or superior purity of morals. The law in question subjects travellers to much unnecessary trouble and expence. It is indeed frequently broken. But we had much better rescind a silly law than run the hazard of penalties and confinement by the breach of it.

About three years ago, a bill passed in the legislature of Pennsylvania, for the construction of a high road from Philadelphia to Lancaster. The persons who first undertook this business, discovered consummate ignorance of its very rudiments. Their plan was to lay the largest stones which could be found, in the bottom, and then heap earth upon them; by this means, when a shower of rain loosened the ground, a horse would sink his leg through it, and then break it between the stones at the bottom. Happily for the country, Mr. John Curwen, an English gentleman, who had a farm near the side of the road, persuaded the company to let him try the task. He began with a bottom of common earth; he then broke the stones into the bigness of about a man's fist, and formed of them a concave layer about eighteen inches deep. This road, with a small expence for repairs, will endure for centuries. The distance from Philadelphia to Lancaster, during bad weather, is in reality shortened by one-half, and the whole has been completed at the moderate expence of about fifteen hundred pounds per mile.

What should prevent the people of Baltimore and its neighbourhood, from undertaking a work of that kind? Is it not of infinite advantage to every commercial town, to be as accessible as possible? But alas! this is only *preaching in the desert*. The very streets are in a state of dirt and *disorganization*, which would have staggered the perseverance of Xenophon himself, at the head of his ten thousand Greeks. The exhalation from this mass of putrefaction must surely corrupt the atmosphere, and tend to shorten the lives of the inhabitants. In summer the streets are polluted with putrid animal substances sufficient for producing a pestilence, such as dead dogs, cats, rats, &c. &c. It might be adviseable at that time of year, to turn loose the pigs, as a lesser nuisance; they would clear the streets from some part of this garbage. Let us put the case, that a foreigner lands at Baltimore, and that he may be disposed to put a few questions. He might perhaps begin thus. "You, citizens of Baltimore, have commissioners for collecting a lamp-tax, but where are the lamps? A stranger may wander at night, from one end to another of this town, without seeing perhaps a single lamp, unless at the door of a tavern, when the landlord has lighted one for the benefit of his customers? Why do you continue to pay the piper, without ever getting a tune? Do the slaves of Ireland, or of Turkey, in the plenitude of their despotism, submit to any treatment more opposite to common sense? If you wish to wander in the dark, to break your shins over a pile of wood, or your necks by stumbling down into a cellar, in short, *if you love darkness rather than light*, it is highly proper to have no lamps in the streets; but if you refuse to have lamps, by what motives are you induced to pay for them? Why do you suffer people to gallop on horseback through your streets to the imminent danger of your own lives, and those of your children? Why are carts and waggons permitted to drive through crowds of people, without any man at the head of the foremost horse? In New York a person galloping through the streets would be instantly stopt and fined in forty shillings.

"As to the nastiness of your streets, especially in a wet day, we need not in future apply for a complete idea of filth, to Crantz's account of Greenland, or Kolben's history of the Cape of Good Hope. While every passenger is

“ wading from four to six inches deep in mud, he may be
 “ tempted to recollect the cleanliness of towns in Holland,
 “ where the very soil is a quagmire, but where every citi-
 “ zen *washes* the pavement before his door.”

Filth on the streets is not a reproach peculiar to Baltimore. As to high-ways, those of England were, long since the beginning of this century, altogether as indifferent as many of those in the United States. A recital of some of the difficulties which have been overcome in Britain will help to stimulate the people of this country to similar exertions, which must infallibly be attended with similar success.

About thirty-three years ago, a single stage-coach set out once a month from Edinburgh to London. The distance is four hundred miles, and the journey in this way required from twelve to sixteen days. It was common for a citizen of Edinburgh to make his will, before he began a London journey. In 1783, sixty coaches set out monthly, or fifteen every week. They reached London in four days. In 1786, two coaches set out daily, and arrived at the capital in sixty hours. They have continued to travel at this rate ever since, and in all weathers, unless perhaps once or twice in the course of winter, when some very deep fall of snow has retarded them for two or three hours. A person may now set out from Edinburgh on Sunday afternoon, stay a whole day in London, and be at home again, on Saturday next at six in the morning. This is very different from crawling to Baltimore at the pace of twenty miles a day, and at the imminent hazard of breaking your neck, while your legs are either wedged in between chests and boxes, or bolted up to your breast in order to make room for them. If the British example cannot stimulate to improvement, the case is desperate. Americans are constantly telling one another that all mankind admire this country. The constitution has existed but seven years, and *our ENLIGHTENED citizens* are three words already worn to tatters. Pray then do not let the ignorant Scots and English excel you so prodigiously in accommodations for travelling. For be assured that the man who has travelled four hundred miles in England in sixty hours, will not be ready to admire a Baltimore or an Alexandrian stage-coach. It has been stated above that the people near London opposed the extension of turnpike roads to the remoter parts of that country, and in Scotland they were extremely unpopular. Yet wherever

they have been made, they are, within a short time, uniformly considered as a great advantage to every body.

Americans universally complain of the uncertainty of the weather; that one day is intensely hot, and the next insufferably cold. One part of their domestic œconomy is highly fitted to aggravate this misfortune. Every native of Britain must be able to recollect his disagreeable sensations, when he first came within the effluvia of an American stove. Even on days moderately warm the doors of the room are often shut with as much care as if the scene lay in Hudson's Bay or Nova Zembla, while the stove is heated to a degree that almost hinders a foreigner from breathing. When people quit such a place, and go into the open air, the bad effects of cold must be felt in a proportionably stronger degree. Stoves overheated, are, in this country, undoubtedly one principal cause of disease and death.

Americans cannot be too thankful that, while Europe is convulsed to its foundations, the United States afford only pacific materials for history. Of the scenes now acting in the old world, we have a singular specimen from a report made in May, 1794, by St. Just, to the Committee of Public Safety, at Paris. The neutrality of Denmark was purchased with immense sums. St. Just says, that corn received from that country, by the price which it cost, might have been mistaken for gold dust. The neutrality of Switzerland required bribes to the amount of forty millions of livres, or about eight millions of dollars. Genoa cost the Republic fifty-four millions of livres, or ten millions six hundred thousand dollars. By this means France obtained permission from that state to buy up in her territories immense quantities of corn, of clothing, and of provisions of every kind. St. Just says, that to these supplies the Republic was indebted for the recovery of Toulon, and Marseilles, the preservation of Nice, and the peace and union of the Southern Departments. The Convention wanted to buy Genoa herself, to convert her government to their principles, and her money to their treasury. These are the words of the reporter; but the plan did not then succeed. The enormous amount of these bribes shews the amazing expence of the war in general. It was kinder to buy the friendship of the Genoese than to bully them as the British did the Grand Duke of Tuscany. The sale of Toulon to

Lord Hood discovers that both parties had recourse to the same weapons. It is idle then to suppose any peculiar degree of immorality among the French. They have not yet done any thing so exceedingly pitiful as William Pitt forging their assignats, and barreling them up for Quiberon*. The noise about French bribery, by the friends of England is out of place; because that country itself is the central point of ever species of corruption. Thus in the trial between Charles Fox and John Horne Tooke, on the 30th of April, 1792, the following, among other facts, transpired. There had been in 1784, and 1788, two successive elections to Parliament for Westminster. Each of these cost each of the parties fifty thousand pounds sterling. An elector, before voting, must swear that he has received no bribe, so that Englishmen were not only bribed, at an expence of two hundred thousand pounds sterling, but perjuring themselves by thousands in the broad day-light of infamy. In 1788, a scrutiny of bad votes was attempted by the two parties. Lord Hood expended on the ministerial side fourteen thousand pounds, and the question was left undecided. Of his various charges about twenty thousand pounds were paid by persons *in office*. The Lords of Admiralty gave an hundred and fifty pounds each; the Lords of the Treasury two hundred pounds each; the Duke of Richmond and the Duke of Newcastle, five hundred pounds each, and those in the next degree of office below their Graces, three hundred pounds. Some individuals in these classes did not pay so much as the rest. The remainder of the money was paid by the Secretary to the Treasury. What a precious government! Mr. Tooke had a written list of the particulars in his pocket, and when Lord Kenyon more than once attempted to interrupt his recital, he finally threatened his Lordship with an impeachment, and Kenyon was glad to be silent. This forms an equipoise to the bribery at Genoa. The corruption employed in October 1796, at the elections in Philadelphia, makes but a poor figure beside that of Westminster. Dr. Logan has been elected into the Assembly of the State, without his knowledge, and while he was on a journey to New England. Mr. M'Clenachan was not acquainted with his being on the list, as Congressional member for the county of Philadel-

* *Vid.* Hoche's dispatches,

phia, till near the day of election, and nobody suspects that his feat cost him a solicitation, or a sixpence. The guilt of the city member is fortunately ascertained. About two years ago, the German Lutheran Church was burnt down, and Mr. Swanwick gave six hundred dollars to assist in rebuilding it. Several Germans voted for him at the election; which it is quite impossible that they should have done, but for this previous act of bribery*. It was undoubtedly with a similar design that, about seven years ago, he paid for the pavement of St. Peter's Church. His corrupt artifices have extended to the erecting or adorning of almost every place of worship in the city. What pity it is that, on the 11th of October last, we could not have had a little sketch of Westminster elections! Suppose now five hundred or a thousand *freemen*, paid by Mr. Wolcot and his clerks. Gorged with roast beef and port, brandishing bludgeons and cutlasses, with cockades in their hats, and colours in their van, behold them rush up Chestnut-street to the field of action! There they are encountered by a phalanx of patriots equally firm, and fired with the noblest disdain for ministerial corruption. Fifty or an hundred on each side get themselves knocked down, and are carried to the hospital, while every sober citizen shuts up his house and execrates alike both contending factions. This is the *practical part* of that British Constitution which some people think as sublime a discovery as the mariner's compass. † With such purity at home, Englishmen, when they looked abroad, were naturally shocked at the corruption and brutality of French mobs. It was impossible that immaculate politicians, like Pitt and Richmond, could think of treating with a herd of barbarians. At last, when they have contracted an additional public debt of more than an hundred millions sterling, when they have lost an hundred thousand men, when their consols have sunk from ninety-eight per cent to fifty-four, when they have unfolded a volume of external defeat and domestic wretchedness that might exhaust the eloquence of Dr. Ames, in a word, when nothing but an arm of the sea, twenty-one miles broad, saves them from instant annihilation, the people of Eng-

* However absurd such an allegation may be, it is loudly insisted upon.

† *Vid.* Mr. Adams's Defence of the American Constitution.

land become disposed to *acknowledge* the existence of their conquerors. Astonishing condescension! We may soon hope to hear them *acknowledge* that the sun shines.

A London newspaper for December, 1795, relates that eighteen millions sterling were wanted for the service of the ensuing year. This included two millions borrowed to pay off the bounties on importation of corn. Thus, before a word was spoke about the loan in either House of Parliament, the negotiation had been closed, and the particulars were known at every tap-room in England. The conditions of this loan are involved in the technical terms of 'Change alley. One part of the bargain is clear and plain. The contractors for raising these eighteen millions, are to have a *bonus* of six per cent. This comes, upon the whole job, to a premium of one million and eighty thousand pounds, for the advance of the money; and there is said to be also a discount of ten *per cent.* for prompt payment. The latter stipulation, if accurate, shews that the minister must be in an alarming want of cash, since between the premium and discount, he was going to give an extra bounty, for ready payment, of sixteen per cent. besides the current interest of the market. If the whole loan has been actually collected at this rate, the premium amounts all together to two millions eight hundred and eighty thousand pounds sterling, or twelve millions and eight hundred thousand dollars, at the rate of four shillings and sixpence sterling per dollar. Citizens of America! this sum is not the annual loan of England, but the premium for it; and six other such premiums put together, would discharge the national debt of the United States.

This chapter will terminate with a recurrence to the internal situation of America. The dangerous manœuvres of our Representative, Mr. Swanwick, in assisting to build churches, has already been stigmatized with just opprobrium. There is, in the numerous arraignments against him, another charge not less important. He has paid a paternal attention to the seminaries of education in Philadelphia, an office for which he was fitted by his acquaintance with French and English literature, and with a variety of modern languages. In some parts of the continent, education is of difficult access. Thus in Baltimore, the medium rate of school wages for reading, writing, or casting up-accounts, is four dollars per quarter,

besides the price of fire-wood, which comes to a dollar for the winter season. If a poor man sends four children to school, they cost him seventeen dollars each per annum, or sixty eight dollars for the whole. If we compute the wages of such a man himself at six dollars and an half per week, and many fathers of families have not so much, this comes only to three hundred and thirty-eight dollars a year, of which sixty-eight dollars for school wages, form somewhat more than a fifth part. In consequence of this disproportion and extreme rate of school wages, many poor people in Baltimore cannot afford sending their children to school. It is then to be expected that the rising generation are not remarkable for the purity of their manners. It will be needless to form a public library, as proposed, in that town, unless the inhabitants are able to read. It would be laudable in the more wealthy class of citizens to form an association for a Free School, where the children of the poor could be instructed *gratis*, in reading, writing, and arithmetic.

At Germantown, in Pennsylvania, the children are always sent to school for a certain time, longer or shorter. The wages are ten shillings per quarter, which is exactly one third of the rate above stated. Thus an hundred children may learn to read, write, and cast accompts, for the insignificant expence of two hundred pounds a year, and in no way can that sum be better expended. Baltimore has both a French and English theatre. The company belonging to the latter staid there, in 1795, about five months. They received nearly two thousand dollars, or seven hundred and fifty pounds per week. In the midst of such doings, it is not extravagant to apply three or four hundred pounds a year for a free school. Report says that the stage improves public taste. It may be so; but how are you to improve the taste of a man who cannot read the ten commandments? As for substantial utility and advantage, a public free school bears the same proportion to one of the Baltimore play-houses, that a shirt does to one of its ruffles.

The following remarks have reference to an impropriety common in books read at school. They are taken from the Philadelphia Gazette of the 8th of December, 1794.

“ A proverb says, *that birds which have flown far have fair feathers.* This applies to Greek and Roman writings. If a sentence has had the good fortune to be

“ composed in *Greek*, and two thousand years ago, it is
 “ received with much greater deference than something
 “ just as good, or perhaps better, that was heard without
 “ notice yesterday.

“ In no instance hath praise been bestowed with less
 “ judgment than on the orations of Cicero. It is vain to
 “ quote the attestation of a thousand critics in defence of
 “ his stile. Cicero had great literary talents. His works
 “ abound with beautiful sentiments. But take from him
 “ his perpetual egotism, his repetitions and digressions, his
 “ scurrility and his adulation, and most of his harangues
 “ will be reduced to half their present size. In the Ame-
 “ rican edition of Scott’s Lessons, a large head is assigned
 “ to speeches from Cicero and Livy. The former have
 “ some pretensions to authenticity. The latter have none.
 “ It would be wiser to insert in school books, the best
 “ public addresses made in this country during or since the
 “ revolution. Instead of long harangues of which not a
 “ single word was ever pronounced, let us insert the fare-
 “ well address of the President to the Revolution army,
 “ or the speech to the legislature of Pennsylvania, deli-
 “ vered last Saturday, by Governor Mifflin.”

CHAPTER III.

*State of the British Navy. Algiers. American Navy. Con-
 gress. Resolution moved by Mr. S. Smith, for counteract-
 ing the British Treaty. Importance of Seamen to America.
 The French Flag presented to Congress. Examination of
 Randall continued. His Defence and Sentence. Whitney.
 Extreme hardship of his treatment. Acquitted. Bri-
 tish Precedents on this Business. Motion by Mr. Williams
 about the mint. Retrospect. The motion rejected. Nar-
 rowness of Official Salaries. Motion by Mr. Livingston on
 the Mint also lost.*

A BRITISH Almanack for the year 1796, states the
 force of the British Navy. There were then in
 commission one hundred and sixteen ships of the line, twenty
 of fifty guns, one hundred and sixty-three frigates, and an
 hundred and forty-nine sloops; in whole four hundred and
 fifty. Fifty-five ships of the line, eight fifties, twenty-six

frigates, and fifty-one sloops, being an hundred and forty sail, were in ordinary. Thus the navy consisted all together of five hundred and ninety sail. An English newspaper of the 31st of May last says, that the navy extended then to five hundred and ninety-eight vessels; eight of different rates having been added since the beginning of the year 1796. Many of these ships require a complement of a thousand hands. The one hundred and sixteen men of war, actually in commission on the 1st of January, 1796, would, on an average, want at least seven hundred and fifty hands, making in whole eighty-seven thousand. The three hundred and thirty-two remaining vessels on service could not, on a medium, have less than two hundred men each, in whole sixty-six thousand four hundred. These, added to the former eighty-seven thousand, make the total number of their crews one hundred and fifty-three thousand four hundred.

With such a prodigious maritime force, possessing Gibraltar, and till of late, Minorca, the British, even in time of peace, have always chosen rather to keep the Algerines in their pay than to fight them. This submission on the part of the greatest naval power in the world, gave but a bad omen of American policy with regard to these pirates. When, in the fall of 1793, they seized several ships belonging to this country, it was resolved to attack them, and on the 10th of March, 1794, a bill past in the House of Representatives for building six frigates. The estimated expence was six hundred thousand dollars, but a much greater sum is necessary to clear off the whole charges. At what time any one of these frigates will be ready for service, cannot yet be determined; when they were finished, the original plan was to sail fourteen hundred leagues to encounter Algerines. From Gibraltar, England could attack these people with a thousand advantages wanting to six solitary America frigates. Her naval strength, also, for a regular attack, is two hundred times greater than that of the United States would be, were these frigates ready for sea. Six British seventy-fours would unquestionably blow all the corsairs of Algiers out of the water, *if they could only be sure of getting up to them*; yet, for some reason, England avoids an experiment.

A consideration of these circumstances might, on the first blush of the business, have convinced Congress what was their proper line of pursuit. A majority of fifty Representatives outvoting thirty nine, went directly counter to the policy of the first naval power on the ocean. With the same rationality, a captain of foot might think himself a greater general than Marlborough, or the King of Prussia. No peculiar blame can be attached to this majority in Congress. Their project was then popular; and the pusillanimity of Mr. Madison and others, who objected to it, formed a topic of regret to their friends and of reproach from their enemies. These preparations have long since become absolutely useless, which proves that the approbation of the public is often but a brittle commodity. So empty also was the American treasury that, on the 5th of February, 1795, eleven months after this expensive squadron had been resolved on, Mr. William Smith, one of its chief patrons, laid before the House of Representatives a plan for paying off the national debt by annual instalments of two *per cent* *. It was fortunate for our seamen that the plan of fighting was dropt. The Algerines are far from being despicable enemies. Suppose a commander unacquainted with their peculiar mode of working their vessels, in an engagement, and with the point wherein their strength lies. Though he should navigate a much better ship than one of theirs, and have the support of a most able crew, he might unexpectedly go to the bottom. This is here given as the opinion of a well informed officer, who served during many years in the English navy, and, for a great part of that time, in the Mediterranean. The British have always studiously cultivated a friendship with Algiers, and almost every maritime people in Europe have done the same. As the temerity of the American scheme is now confessed, nothing farther needs to be said about it. But the public would be glad to learn for what reason *captains* were appointed, and *entered into pay* for the command of these vessels before they had been built. In the British navy, only the gunner, the carpenter, and the boatswain get into pay, when the keel is laid. In naval policy, America should look up to Britain as a precedent; instead of which, there is in this instance a

* *Vid.* A Short History of Excise, &c. p. 101.

culpable deviation from œconomy, as if a tenant were to pay rent for his *future* lodgings, during three years before the landlord built his house. *Cocks make free with the horse's corn*, says a proverb. If the persons who pay these six captains, were to have defrayed even one-tenth part of the money out of their own finances, they would have looked more sharply after the concern. No notice has yet been taken in Congress of this depredation of public resources. If inspectors were wanted, let them be appointed, but the captain of a vessel not yet in existence is a singularity. If the keels of these six frigates had been laid in the River Thames, they would hardly have been heard of, till ready for launching. They might have been, perhaps, two months on the stocks. In no part of the world are ships built faster or better than in this country, yet such is the inferiority of the American Admiralty to that of England. If war had been declared between the two nations, an hundred of our privateers would have been completed from the first plank in one-fourth part of the time already consumed on these six half finished frigates; while a multitude of American cruisers of all dimensions would have ambuscaded every port of the old world from Canton to Archangel.

It is an object of astonishment, that Britain should be capable of supporting a navy with an hundred and fifty thousand men. Sir John Dalrymple, in his memoirs of that island, gives as a rough calculation, that one man at sea costs as much as four by land. By this rate, the British navy requires a much greater expence than what would maintain a land army of five hundred thousand men. For 1794, England paid eighty-five thousand hands in the naval service, besides subsidizing between thirty and forty thousand troops on the continent, while her own land-forces, including militia, amounted to an hundred and forty thousand men. On the 2d of February, 1795, Mr. Pitt proposed to augment the maritime forces by about thirty thousand. On this occasion he mentioned that, in 1793, about an hundred thousand seamen, and fourteen hundred thousand tons of shipping were employed in the trade of Britain. In 1796, the naval force of that country hath been still farther augmented, and is now, perhaps, even considerably higher than the one hundred and fifty thousand men above stated. To this continent it is a question of in-

terest to learn by what means an island containing but fifty millions of acres, of which above twenty-two millions are lying waste *, hath attained to such enormous wealth and importance. The explanation must afford an useful lesson to citizens of America.

This superiority in maritime power was chiefly owing to the celebrated navigation act pass in England by the parliament which executed Charles the First. Various attempts had formerly been made in the reigns of Richard II. of Henry VI. VII. and VIII. and by Elizabeth. But they were of little effect till, in 1646, the republicans prohibited foreign bottoms from interfering in the trade between Britain and her colonies. In 1651, it was enacted, that no merchandize either of Asia, Africa, or America, should be imported into England, unless in English built ships, whereof the commanders, and three-fourths of the crews, were English seamen. This law raised some discontent; but it was successful. The French Republic have made an act to the same tendency; and, when the present war ends, its operations will be sensibly felt. This country is already making rapid strides to naval power. In 1792, American shipping amounted to four hundred and fifteen thousand tons. In 1789, it had been only two hundred and ninety-seven thousand. This was an increase of an hundred and eighteen thousand tons in only three years, or about forty thousand tons per annum. If, as in Britain, there is a mariner to every fourteen tons of shipping, America had in 1792, thirty thousand seamen. England has done her utmost to lessen their number. One frigate has impressed thirty-five, and another, seventy American sailors †. Numerous instances of this kind happen. Some thousands of that class of people are now probably confined on board of the British navy. Their situation can be envied only by a slave in Algiers. In spite of such checks, the tonnage of

* In England, 6,259,470, acres.

Wales, 1,629,307, do.

Scotland, 14,218,224, do.

Total 22,107,001 acres.

This is taken from the report of a Committee of Agriculture, published at London in Spring, 1795.

† Cato on the British Treaty, No. 10.

American shipping, and the number of American seamen must have at least doubled since 1792.

Summary of the

VALUE OF THE EXPORTS FROM THE UNITED STATES.

	<i>Dollars. Cts.</i>
For the year commencing the 1st Oct. 1790, and ending 30th Sept. 1791, - -	19,012,040 58
For the year commencing the 1st Oct. 1791, and ending 30th Sept. 1792, . -	20,753,097 95
For the year commencing the 1st Oct. 1792, and ending 30th Sept. 1793, . -	26,102,572 14
For the year commencing the 1st Oct. 1793, and ending 30th Sept. 1794, - -	33,026,233 91
For the year commencing the 1st Oct. 1794, and ending 30th Sept. 1795, - - -	<u>47,989,472 44</u>

For the year ending on the 30th of September, 1796, the accounts are not yet completed, but the exports will amount to something between fifty-five and sixty millions of dollars. This is stated as the opinion of that well-informed and communicative public officer, Mr. Tench Coxe, who superintends this department. Thus, in six years only, American exports have trebled their amount, a rapidity of increase unequalled in the annals of commerce.

This short sketch of the British act of navigation, and of the state of our own, seems naturally to introduce and illustrate the following proposal.

On the 4th of January, 1796, Mr. Samuel Smith laid on the table of the House of Representatives a resolution to this effect: "That from and after the day of
" it shall not be lawful for any foreign ship or vessel to land
" in the territories of the United States any goods, wares,
" or merchandize other than the produce of that country to
" which the ship or vessel belongs." Mr. Smith expressed his apprehensions that the late treaty with Britain would prove fatal to American shipping. His resolution was intended to counteract that consequence; and it may be supported by numerous arguments. The landed property on the coast of this continent cannot be secure from pirates or invaders, unless it has the means of defence. These means must be chiefly derived from a naval force. All maritime strength is founded on the number of seamen which a nation, in ordinary times, employs for its carrying

trade. America could speedily form a powerful navy, because she has numerous ships and seamen. For this reason, it is evidently her interest to support, and if possible, to encrease the extent of her shipping, that if any sudden emergency should plunge her into a rupture with some foreign government, she may continue to possess this resource for defence and vengeance. During her war with Britain, American armed vessels did infinite mischief to British commerce, and a short retrospect of admitted facts will serve to explain the object of this motion, which copies one of Mr. Madison's resolutions proposed in Congress, on the 3d of January, 1794. A review of this kind will also tend to dispell that timidity which has been of late betrayed by some people in this country, and will evince that the United States are far from being defenceless by sea. In 1774, it was stated in the British Parliament, that the number of merchant vessels belonging to Britain was six thousand two hundred and nineteen. In the maritime courts of Sussex, Essex, and Middlesex, three counties of Massachusetts, there were libelled during the war one thousand and ninety-five British vessels with their cargoes, besides thirteen cargoes taken out of vessels that had been abandoned after their capture by American privateers. Of every hundred prizes at sea which the latter made, it is computed that fifty-five were retaken by British cruizers, before they reached the ports of the United States; so that out of six thousand two hundred and nineteen ships employed in British trade, two thousand four hundred and fifty may be reckoned as taken by the privateers equipped from only three maritime counties of Massachusetts. More than one half of these two thousand four hundred and fifty vessels were indeed retaken, but the salvage to the re-captors, and the derangement from delay in the voyage were in themselves a severe burden upon British owners*. But as America had many privateers besides those belonging to the three counties above mentioned, the havock to British shipping must have been prodigious. The total loss may be conjectured at somewhere between ten and fourteen millions sterling. This could not fail to have a material effect in abridging that war. American sailors are, therefore, in

* These particulars are extracted from A view of the United States, by Mr. Tench Coxe.

reality, a maritime militia, always ready for public service, and costing the public nothing, while not actually in service. The seamen, also, are vastly more numerous now than they were at the breaking out of the last war. They could at this time prove much more troublesome to a nation possessing an extensive trade, than, in 1775, they were to England. At first view, one is led to think the British navy invincible, and that it would instantly destroy the whole shipping of a country like America. But the last war refuted this chimera, and shewed that all the naval strength of Britain was incapable of fully protecting her trade, or of blocking up a coast which extends six hundred leagues. If all the American cruizers fitted out in the last war had been formed into a line of battle, it is true that twenty or thirty of the British first and second rates could with ease have dispersed or sunk them. But plunder, not fighting, must to the United States, be the principal object of a maritime war; and in this way the American marine proved equal to the English navy. One reason why this country should be highly solicitous to augment the number and protect the rights of her seamen is the difficulty with which an able mariner is formed. By land, a man may learn the military exercise in a few months, and experience, and the example of veterans will soon make him a tolerable soldier. But by sea, the case is quite different. Many years are requisite for accomplishing a skillful navigator; and even a common sailor to be moderately useful must be far longer in training than a common soldier. This is the reason why it has always been so hard a task for any nation to become suddenly a great maritime power. With abundance of men and money, a formidable army can, by due attention, always be created in two or three years. But unless a country has previously possessed an extensive trade by sea, and a trade carried on in her own bottoms, it is utterly impossible for her to form a navy. Without such a trade, no degree of wealth or population can raise it. This explains the anxiety which Britain has always discovered to augment the number of her sailors. Unless she can support merchantmen to educate and supply her navy with skilful mariners, the navy itself is of no value; and even after every precaution on this head, she is often reduced, as at present, to a distressing scarcity of hands. What renders the French so remarkably inferior

in naval engagements to the British? It is admitted that their ships of war are better built than those of England. It will no longer be said, as it often has been, that they want courage. The French artillery is the best conducted in Europe. Here then we have excellent ships, brave men, and skilful gunners. The only reason for their bad success is want of good seamen. The superior wisdom, vigilance, and resources of their new government will in time supply this defect, but it must require the gradual exertions of several years. If America has a great number of merchantmen in service, she can, when necessary, become a formidable enemy on the ocean. Her marine strength in war is exactly proportioned to the number of her bottoms in time of peace. Besides, the more seamen that she has, the fewer other nations can have, since her shipping perform the voyages which, if they were laid up, would be made by others. Whatever adds to her strength by sea weakens in an equal proportion her rivals or enemies, and thus a two-fold advantage is gained for the independence and security of the union. On this account, her mariners, more perhaps than any other class of citizens, are entitled to her peculiar protection. Many people have thought that if the commerce of this country could be carried on entirely by foreign bottoms, like that of the Chinese empire, it would be of equal advantage to the continent, and that citizens, who now act as sailors, might be as profitably employed as landmen in other occupations. The opinion has a plausible appearance, but attentive reflection will discover its inaccuracy. In China, labour is above ten times cheaper than here, so that if tea were to grow in Pennsylvania, it would be less expensive to export it from that empire than to gather it at home. China is crowded with manufacturing towns, and the low rate of wages makes it impossible for foreigners to import manufactures in any great quantity. In America, every thing is at present the reverse. To renounce the practice of navigation would be casting away those means of offensive war, by which alone the United States can ever hope to make their commerce secure on the ocean. The chief object of Mr. Madison's resolutions was augmenting the strength of this maritime militia, and at the same time to reduce that of Britain. The great objection made on the other side was that the latter country might revenge this check by counter regulations.

Nothing active has been done upon this resolution suggested by Mr. Samuel Smith; but if the British treaty shall really produce those evils that have been predicted, it is like enough that some expedient of a similar kind will be adopted by Congress. After this resolution had been laid on the table, the President's Secretary was introduced with an American officer bearing the flag of the French Republic, a present from the Committee of Public Safety at Paris. This flag is made of the richest silk, and highly ornamented with allegorical paintings. In the middle a cock is represented, the emblem of France, standing on a thunderbolt. At two corners, diagonally opposite, are represented two bombshells bursting; at the other two corners various military emblems. Round the whole is a rich border of oak leaves, alternately yellow and green, the first shaded with brown and heightened with gold; the latter shaded with black and relieved with silver; in this border are entwined warlike instruments. The edge is ornamented with rich gold fringe. The staff is covered with black velvet, crowned with a golden pike, and enriched with the tricolor *cravatte*, and a pair of tassels worked in gold and the three national colours. The flag was to be deposited in the archives of the United States. It was accompanied with a letter from the President to the House; a second addressed to Congress, from the Committee of Public Safety; a copy of the address of Citizen Adet to the President on delivering the flag, and his answer to the French minister. The letter from Paris was dated the 21st of October, 1794, and contained, as well as the address of Citizen Adet, the warmest professions of friendship for the United States. The answer of the President met half-way the advances of the French Republic. While in the most agreeable terms he complimented France on her valour, her victories, and her attachment to the cause of liberty, he at the same time, with the prudence suitable to his situation, avoided any remarks that might afford ground of offence or suspicion to other nations in amity with this country, but whose forms of government differ from those of France and America. In his address to Citizen Adet we recognize the masterly and well known pen of George Washington. The piece is couched in terms of unusual animation, and is as follows.

“ Born, Sir, in a land of liberty; having early learned
 “ its value; having engaged in a perilous conflict to defend
 “ it; having in a word, devoted the best years of my life

“ to secure its permanent establishment in my own country,
 “ my anxious recollections, my sympathetic feelings, and my
 “ best wishes are irresistably excited whensoever in any
 “ country I see an oppressed people unfurl the banners of
 “ freedom. But above all, the events of the French Re-
 “ volution have produced the deepest solicitude, as well as
 “ the highest admiration. To call your nation brave, were
 “ to pronounce but common praise. Wonderful people!
 “ Ages to come will read with astonishment the history of your
 “ brilliant exploits! I rejoice that the period of your toils
 “ and of your immense sacrifices is approaching. I rejoice
 “ that the interesting revolutionary movements of so many
 “ years have issued in the formation of a constitution de-
 “ signed to give permanency to the great object for which
 “ you have contended. I rejoice that liberty, which you
 “ have so long embraced with enthusiasm; liberty, of which
 “ you have been the invincible defenders, now finds an
 “ asylum in the bosom of a regularly organized government;
 “ a government, which, being formed to secure the happi-
 “ nesses of the French people, corresponds with the ardent
 “ wishes of my heart, while it gratifies the pride of every
 “ citizen of the United States by its resemblance to their
 “ own. On these glorious events, accept, Sir, my sincere
 “ congratulations.

“ In delivering to you these sentiments, I express not
 “ my own feelings only, but those of my fellow-citizens,
 “ in relation to the commencement, the progress, and the
 “ issue of the French revolution; and they will cordially
 “ join with me in purest wishes to the Supreme Being, that
 “ the citizens of our sister republic, our magnanimous allies,
 “ may soon enjoy in peace, that liberty, which they have
 “ purchased at so great a price, and all the happiness which
 “ liberty can bestow.

“ I receive, Sir, with lively sensibility, the symbol of
 “ the triumphs and of the enfranchisement of your nation,
 “ the colours of France, which you have now presented to
 “ the United States. The transaction will be announced
 “ to Congress; and the colours will be deposited with those
 “ archives of the United States, which are at once the
 “ evidences and the memorials of their freedom and inde-
 “ pendence. May these be perpetual! and may the friend-
 “ ship of the two republics be commensurate with their
 “ existence.”

A message of thanks was unanimously voted to the President for his communication. He was requested to congratulate the French government, in name of the House, on their brilliant achievements, and to express a hope that they would end in a firm establishment of the liberty and happiness of the nation.

Robert-Randall was then brought to the bar. He had with him as counsellors, Mr. Lewis, and Mr. Edward Tilghman. Mr. Peters, judge of the district of Pennsylvania likewise attended, agreeable to a resolution of the House, to administer oaths to such members as it might be thought fit to examine in that way, respecting the offers made to them by Randall. Informations already given in to the House in writing by Mr. William Smith, Mr. Murray, and Mr. Giles were then read over to the prisoner. At the desire of Mr. Lewis these three gentlemen were successively sworn and examined; as was also Mr. Samuel Smith, to whom Randall had likewise made advances. Nothing material came out farther than what has been already stated. The House then adjourned. Next day, Mr. Christie, to whom Randall had also spoke on the business, was examined on oath. Mr. Sedgwick was likewise examined at his own desire, his name, as in some way patronizing the scheme, having been mentioned by Randall to Mr. Christie. This charge proved to be groundless.

The testimony being now closed, Mr. Tilghman craved leave to make some remarks in defence of the prisoner. He recapitulated the charges. They divided into two heads. The first was an attempt to corrupt members. The second was Randall having said that thirty members of the House had engaged to favour his scheme. If the first head was not proved in the fullest manner, then it would be entirely improper to punish the prisoner at all; for he was entitled to the strictest justice. Mr. Tilghman began with the charge of corruption, which led him to take a view of the circumstances that gave rise to this business, the journey of Randall to Canada, last summer, the association for buying the peninsula between lakes Erie, Huron, and Michigan, the proposal of extinguishing the Indian claim, the scheme of forty-one shares, and many other particulars with which the reader has already been made acquainted. In the plan itself, there was nothing exceptionable, providing that it was fairly pursued. It

was at first view clear, that other assistance would be wanted, besides the persons subscribing the association. Five or six private individuals were altogether unequal to grasping so immense an object. Accordingly, Randall first applied to Mr Christie. From the declaration of that gentleman, it appeared that no offer was made to him either of land or money, or any improper overture, for Mr. Christie had so little suspicion of foul play, that he afterwards gave a letter of introduction to another member to explain this business. Randall had next applied successively to Mr. Samuel Smith, to Mr. Giles, Mr. William Smith and Mr. Murray. From probability, independent of the proof which Mr. Tilghman was about to examine, he argued that nobody but a madman would have attempted to bribe five gentlemen of respectable characters, and of independent fortunes. What was the language of the prisoner to Mr. Samuel Smith? "If you, as a member of Congress, see no impropriety in being concerned, we shall willingly accept you; but *if you do not think it right, we do not ask your aid, for we can do without you.*" These were the words of Randall, as attested by the member to whom they were addressed. There was no guilt here. It was the language of innocence. Mr. Samuel Smith said that Randall had told him, that Mr. William Smith *should* bring the matter forward. By this, Randall plainly signified that he *expected* Mr. W. Smith to do so, and Mr. S. Smith had mistaken the supposition for an affirmation. The fourth gentleman in order of application was Mr. W. Smith; and there was not one of the first four gentlemen who said that any direct proposal was made to him. They only understood and inferred it. But a man is not to be convicted on the inferences, impressions and ideas of witnesses. - It would, in a court of law, cost but very few words to establish this point. A witness was only to relate facts. The jury were to make inferences, and form conclusions. Each of these four gentlemen had expressly declared that no explicit offer was made to him. Had Randall said; "Give me your vote, and you shall have so many dollars, or so many acres for it," the accusation of bribery would have been fully established. But we find no such thing. The offer was improper, indelicate, and indecent in the highest degree; yet no direct offer was made, and none

could be made, till the law pass. The lands were by the lowest estimate to cost five hundred thousand dollars of purchase money, besides the expence of extinguishing the Indian claim, and many other previous charges, before any thing could be made of the speculation. Thus each of the forty-one shares would require in advance a very large sum of money. There might even be a loss upon the business, instead of a gain. After adverting to the evidence of the four first gentlemen, Mr. Tilghman came next to Mr. Murray. He seemed to give the most heavy accusation against the prisoner, but Mr. Tilghman was ready to rest the cause of his client, his good name, or his infamy, on proving that Mr. Murray had mistaken his meaning. In the first place, by the account of this gentleman, twenty-four shares out of the forty-one, were to have been at the *acceptance* of members, which had been conceived as if they were to be given gratuitously. The donation was to come out of these thirty-six shares reserved for Randall and Whitney, and it was too immense in proportion to the whole shares, to have admitted any chance of profit to these two people, on the twelve remaining shares. For this inference Mr. Tilghman appealed to the candour and judgment of every gentleman within his hearing. The thing being thus in its own nature incredible, would of course require the highest degree of evidence to support it. It had been proved that no direct offer of this kind had been made to other members. They understood that these shares were to be paid for in proportion along with the other partners in the sale. This was another reason for thinking that Mr. Murray was mistaken. Messrs. William and Samuel Smith, and Mr. Giles had unanimously declared that they were to pay for their shares. Upon the question being put to Mr. W. Smith, he answered: "I understood that those should pay *upon the footing of the original associators.*" Mr. Giles, on this point had replied thus. "No direct offer was made to him in land. The proposition was general, as related to members of Congress, who would favour the scheme. He considered himself as included; but then *all were to come in, on paying their proportions.*" Again, Mr. S. Smith declared, that Randall "offered no direct bribe to him, but proposed to take into the scheme, *at first cost*, such members as chose to embark in it." These three testimonies clearly established that Randall had not thought

of any gratuitous offer to these gentlemen. Mr. Tilghman could account for the mistake of Mr. Murray. He had heard from Mr. W. Smith of the man, and his proposals; and that they were of a corrupt nature. While his mind was filled with these impressions, Randall waited on him, but had so little dread of being on a criminal errand, that he made no scruple to begin the subject before Mr. Henry, a Senator, who was accidentally in the room. Mr. Murray took him into a private room, for the purpose of listening him, and there it was that he disclosed the unfound part of his scheme.

Here Mr. Tilghman referred to a passage in Mr. Murray's declaration, which is in these words. "At first, I understood that the members who should assist in getting the thing through, might then retire to their homes, and when the scheme was in activity, they might come in on the same terms as the original associates. But afterwards I understood from Randall, that I might have a share if I would accept of it, and this I understood from the whole tenor of the latter part of his conversation. The shares set apart were to be for acceptance as donations. I so understood him."

From the word *accept* in the above conversation, Mr. Tilghman insisted that while Mr. Murray understood a donation, Randall could only mean a share, as offered to other members. Where had Randall cash in hand to have laid down? [Randall was not long since insolvent.] How could he give perhaps twenty or thirty thousand dollars in hand, for the vote of a member? The word *accept*, as coming from Randall, only meant "you shall have a share on the same terms as others, and if you do not chuse to have a share, we will sell your share of the lands for you, and you may get the profit made by the sale." Here Mr. Tilghman quitted the first head of the charge, by expressing his hope that no satisfactory proofs of direct bribery had been offered. He was happy to live in a country, whose legislators possessed so much delicacy. The second head of the charge was Randall having said that thirty members of the House of Representatives, were to favour his scheme. The counsel apprehended that this was no breach of privilege. He turned up the laws of the United States, and read over every passage regarding the *privileges* of the House and its members. Nothing was to

be found which could even remotely apply to this kind of conversation. The idea of the counsel was, that the House had the privilege essential to its existence to defend itself from any insult from within or from without, but not farther. The Constitution says nothing of privilege, that reaches to the case of the prisoner; and one of the amendments to it says, that the people shall be understood to have *retained* whatever they have not *granted*. It follows then, that since what has been expressly granted reaches not to Randal, it is retained. It is in contemplation to prosecute this man, in a court of law. With what feelings must he be supposed to go there, if he shall previously be condemned in this House? A man would thus in fact be convicted in the public view, before his trial began. The Counsel then read a number of precedents from English books of law, to prove that, even for a direct offer of bribery to a member of Parliament, the prisoner would have been remitted to the Attorney-General, and prosecuted with the usual and indispensable solemnities in a Court of justice. Mr. Tilghman said, that he would next venture to ask what kind of a Court of law is this? The members are not upon oath, while they are at once parties, judges, and witnesses. Mr. Tilghman would have thought it more delicate for the House to leave the prisoner to a trial in the common form. He may be acquitted by a jury, after being condemned here, which might produce disagreeable feelings in the public mind. It is, in reality, trying a prisoner twice for the same offence, and making him hazard a double sentence. All this is inconsistent with every idea of justice. The offence was punishable at common law. What good reason can then be given for trying it here? The safety of the House is not in danger. This is not a case, wherein they ought to insist on *privilege*. A thousand reasons might be adduced, besides those stated by the counsel, why it was inexpedient to bring the business here. The privileges of an English Parliament rested on immemorial usage; those of this House on a written constitution, which had considerably narrowed them in comparison with those of British Parliaments. The charge of having thirty or forty members engaged to support a scheme is not a breach of privilege. Mr. Tilghman argued, that from the very face of the charge, as worded by the House, no crime arises. Are the House to bridle conversation without doors?

When a bill comes into the House, is it not common for people to say that such a law will pass, or it will not pass? Are they not at liberty to conjecture what members will vote for it, or against it? Randall's story about thirty members comes within this description. Are the House to lock up the mouths of the people? Mr. Tilghman closed by urging that as Randall was to be tried by a court of law, as he had been taken out of the hands of an officer belonging to a court of law, upon what authority the Counsel did not see, the best thing which could be done was to remit him to the ordinary form of trial.

Mr. Lewis then rose. He read the charge as adduced by the House, and agreed that this was not bribery, but a wild land-jobbing scheme. He objected to the having admitted subsequent depositions and informations in support of a charge previously made and specified. This alludes to the subsequent evidence given by some members, after the prisoner had received a copy of the charge. He contended that the evidence of Mr. Samuel Smith given subsequently, had no connection with the original charge, and should not have been admitted in corroboration of it. Mr. Lewis then took up the second point of accusation, that the prisoner had said thirty or forty members would favour his scheme. The saying so was no offence at all; for the thing itself, the agreeing to support a particular scheme was consistent with perfect innocence. He trusted that the prisoner would be as safe in this House as any were else, that his unalienable rights would be as sacredly watched; for it would be a dreadful reflection if that House were less delicate in administering justice than courts of law. He hoped that the House would adhere to these fundamental rules of trial, which had stood the test of ages. He then read some of the articles of the bond between the original partners, to shew the absurdity of supposing that bribery ever could have been intended. It was impossible to have ever bribed members in the way alleged by Mr. Murray. He stated, that out of the forty-one shares, Whitney, and Randall, were to have thirty-six out of which they were to give away twenty-four, a proportion in itself incredible, in as much, as the remaining twelve shares would, so far from making their fortunes, have cost them more than they were worth. Mr. Lewis then argued on the offer to Mr. Murray, on the

same ground as the former counsel. The plain history of the affair was this: a number of people wanted the lands. They thought that it would accelerate their scheme to get members of Congress embarked in it, and offered them, for this effect, a share in the lands, on paying an equal share of the expences, and with a promise of concealing their names. "If the gentlemen," said Mr. Lewis, "to whom this application was made, *had kicked my client out of the room,* they would have served him right, and *there,* I think, the "business ought to have ended." The British Parliament send people attempting bribery to the Attorney General. They send people to a *trial by jury*. Mr. Lewis denied that any part of this offence came within the definition of corruption or the reach of law. He had no conception that it could be punished, upon any *legal* principles whatever. Besides, there was nothing in the history of privileges, like thus dragging a man from the jurisdiction of the Circuit Court, by whom he was apprehended, and whose prisoner he was. Again, there could be a breach of privilege only, if the proposal regarded a bill actually before the House. It never could arise from a thing not in existence. All the books which Mr. Lewis had consulted, spoke only of bribery, about a bill or a law suit actually on hand. It was hazardous to quote precedents from an English Parliament. Its privileges had no limits, so that some writers on law called it *omnipotent*. Mr. Lewis admitted that the House had the essential power of punishing violence, or open insult, which did not reach the case before them. He would not farther intrude on the time of the House, by apologizing for the time which he had taken up already. He trusted that a power of *creating* offences would not be assumed; and that a thing which is not *illegal* will not be *punishable*.

Here the pleadings ended. On the 6th of January 1796, Randall was again brought to the bar, and in a few words reprimanded by the Speaker. To call his offence indiscretion, impropriety, or indelicacy, was too mild a name. His conduct was *crime*. His apparent ignorance of the nature or extent of his guilt, had induced the House to be more indulgent than they otherwise would have been. The Speaker then informed him that he was recommitted to custody, till farther orders from the House. On the 7th, Charles Whitney was brought to the bar, and granted a de-

lay till he could obtain counsel. After he had been sent back to jail, Mr. Bourne remarked that it was very hard to put him to the expence of seeing lawyers. There was no appearance of any thing farther being brought against him, and admitting the charge as it stood, the whole amounted to but little. Mr. Giles then read a resolution for dismissing Mr. Whitney immediately. Mr. Hillhouse objected, that it would commit the dignity of the House to say that they had kept a man in jail for a week, and then dismissed him without a trial. However the majority wanted to end the affair as easily as possible. But a long debate ensued about the wording the resolutions, and in what way they were to account to their constituents for keeping one of their fellow citizens so many days in prison, upon charges, that if proved, did not amount to blame. Several gentlemen spoke in this discussion, who complained that they were misunderstood. Mr. Macon, at one time, said, that he would vote to discharge Whitney for a particular reason alleged by Mr. Giles. "Now," replied Mr. Giles, "if the gentleman is to vote for the dismissal, because *that is my reason*, I desire him to vote *against the dismissal*." "My reason for discharging Whitney, is totally different. I argue that all which we have entered on the journals, admitting it proved, does not amount to any breach of our privileges. That is *my motive* for dismissing the prisoner." One amendment proposed by Mr. William Smith to the resolution offered by Mr. Giles, was to state that the conversation having happened in Vermont, and before Mr. Buck took his seat in the Congress, as the reason for discharging Whitney; Mr. Gallatin spoke on that head as follows. "Mr. Whitney was at our bar this morning, and we directed him to prepare for his defence. He is now gone, after having denied the charge laid against him. In absence of the man himself, and without allowing him an opportunity for vindication, we are, by this amendment, to declare on the journals, that *he made an attempt on the integrity of a member*, but because it was before the member took his seat, &c. What kind of treatment is this? What right have this house to keep an American citizen ten days in jail, and then declare him infamous, without permitting him to be heard in his defence. He has said that the gentleman from Vermont misunderstood him. I believe that what the member said

“is true; but it may possibly be explained away. I will not vote for insulting a man by declaring him *guilty*, at the very moment when we are forced to dismiss him, because *we cannot find proof that he is so.*” This amendment was negatived. Mr. Smith then moved to postpone the business till Monday next, the 11th current. He observed, that gentlemen seemed to forget the extreme criminality of the plan, which went to robbing the United States of a property worth perhaps twenty millions of dollars.

Mr. Giles was for discharging the prisoner instantly, because though every tittle were true, that stood on the journals against him, it did not all together amount to a breach of privilege. He had been, he believed, this day, a dozen times upon his legs, to explain his reasons, and they had still been misunderstood. Indeed, if the house are to talk on from day to day, for the purpose of protracting Whitney's confinement, it would be better to vote plainly for so many days of imprisonment. Mr. Giles could not help observing, that in all which was said this day, *he did not hear a single sentiment of sympathy for the sufferings of this poor man*, who had been kept ten days in jail on an accusation, which if proved did not amount to an offence. At last, the House by a majority of fifty-two to thirty, agreed to a resolution, “that Charles Whitney be discharged from the custody of the Serjeant at Arms.” The prisoner was accordingly sent for from jail, and dismissed by the Speaker with these words: “Charles Whitney, the House have thought proper to discharge you without farther hearing, by a resolution that will be read to you by the Clerk.” Here is not a word of reprimand, or admonition. Thus an American Citizen, a man whose political rights were as extensive, whose person was as sacred as that of any member of Congress, endured imprisonment from the 28th of December 1795, to the 7th of January following, and then received his dismissal without being examined, and without even an opportunity of hearing what his accuser had to say. Not allowed to speak a single word in explanation of his conduct, or in defence of his character, he was dismissed to freedom and infamy. When first apprehended, Mr. Whitney declared that he was ready to proceed without a moment of delay, in making his vindication. The house had not time to do justice and their duty, and *till a more*

*convenient season,** they sent one of their equals to prison. As for Randall, his criminality was, at the first glance so palpable, it was asserted by so many gentlemen of the most respectable characters, that he did not merit much ceremony; but as to Whitney, the case was widely different, for it was finally determined that the charge against him, if true, did not extend to guilt. Mr. Buck, also was never cross examined, or the very trifling story which he told might have been reduced to something even yet more trifling. A material and obvious objection lay to his conduct and his testimony. This was, that though the conversation which Mr. Whitney held with him took place so far back as the 30th of November, 1795, yet he never once mentioned it in Congress, till after Mr. Murray and the other gentlemen had published the manœuvres of Randall. In this moment of suspicion and alarm, when every passion was tremblingly alive, Mr. Buck brought forward his accusation. If he really judged that Whitney wanted to bribe him, and that this attempt deserved the interposition of the House, he should have made his discovery at the opening of the session, since his concealment of it might have been ascribed to motives which did not actuate his conduct. Thus a counsellor pleading for Mr. Whitney might have urged that this delay arose from a design of waiting till Mr. Buck saw whether the plan was likely to succeed, that he might have come in for his share of emolument. From his own declaration emitted on the 2d of January, he does not appear to have felt the smallest degree of repentment or detestation, when Mr. Whitney made the proposal. He does not seem to have betrayed any emotions of that nature, till Mr. Murray brought the business before the House. The terms of Mr. Whitney were, by the account of the member himself, advanced in the most cautious stile. He was careful to promise repeatedly that nothing was designed but what Mr. Buck should find just, honourable, and constitutional, of which he should be left to judge. Accordingly Mr. Buck dismissed him with civility, took the matter *Ad referendum*, and told Whitney that *he would make no engagement in the business, until he was better informed as to the merits of the question.* These are the concluding words of a written declaration given in to

* Felix to St. Paul:

the House by Mr. Buck. They decisively exclude all suspicion of criminality. This cannot surely be the stile in which our Vermont Epaminondas would reject a bribe. He could not have spoken with more composure about the sale of a pig. If the advances of Whitney were, in fact, reprehensible, such a patient reception was sufficient to embolden him to make the same proposals to other members. The treatment of Charles Whitney deserves the warmest reprobation. He was indeed discharged from the bar of the House, but he was *conducted back to jail*. His creditors at New York had heard of his commitment, and arrested him in prison. He was kept there for a considerable time. Thus an American citizen, without being heard in his own defence, was imprisoned, made a bankrupt, and rendered infamous, though his innocence was so clear, that those who *imprisoned* durst not *arraign* him. Here is a very pretty Pisgah prospect of an American Bastile.

Various objections occur to the conduct of Congress in this matter. It was admitted that their utmost power of punishing extended no farther than to confinement during the rest of the session. Thus it seems that their jurisdiction was incompetent. If the application of Randall had been made on the last day of the session, he must have escaped with impunity. Here is a gross defect in jurisdiction. If Congress are to transmit one offender to a court of law, and try another at their own bar, that also is a violation of equity; for one man is thus to have the benefit of a jury, while another is to be tried by a tribunal at once parties, judges, and perhaps, as in the above case, even witnesses. When America shall be blessed with that *hereditary* Senate recommended by Mr. Adams, so flagrant a violation of justice may be endured; but at present it appears indefensible. The House of Representatives undoubtedly acted in the whole business without due reflection. This was frequently remarked by themselves. Mr. Sedgwick, among others, said that it was an unfortunate circumstance when the same persons were to be both parties and judges. People were apt to get into a passion, when one came to them and said, "I consider you as rascals, and I want to purchase a portion of your rascality." This was an exact picture of the case. Again, the House were too bulky a machine for such petty employment. It was no better than cracking nuts with a mill-stone. If the matter had been left to a

court of justice, it would have ended, with much less expence to the public.

In this debate, much stress was laid upon the prerogatives assumed by the British House of Commons. Congress should not be forward in appealing to the practice of that body. A few plain facts will shew that they are not always worthy of imitation. On the 9th of December, 1790, Mr. Horne Tooke presented to that House a petition for redress against the election of Lord Hood and Mr. Fox for Westminster. An order is made in the House of Commons, at the commencement of every session, "that if any thing shall come in question touching the return or election of any member, he is to withdraw during the time the matter is in debate." In the teeth of this standing order, Mr. Fox was allowed to speak, and actually dictated the proceedings of the House. No dependence can be placed on precedents from so irregular an assembly. But farther, the insult committed by Randall, though indeed very great, was trifling compared to the ferocious contempt with which Mr. Horne Tooke addressed the House of Commons. In this petition he told them that their "seats for legislation are as notoriously rented and bought as the standings for cattle at a fair." Yet this *omnipotent* House, as Blackstone defines it to be, did not attempt to punish Mr. Horne Tooke. They remitted his petition to a committee, for though Mr. Pitt wanted them to proceed to some exemplary punishment, yet this dark and implacable despot found it necessary to drop his design. The petition was only voted by the committee to be frivolous and vexatious. The offence of Randall did not amount to one thousandth part of that committed by Mr. Horne Tooke, yet parliament did not chuse to meddle with him. This precedent from the British House of Commons, would have justified Randall in demanding his dismissal. But another well known case comes closer to the point. In the reign of Charles the Second, a House of Commons ordered their serjeant to apprehend somebody. The man gave notice that he would be arrested only agreeable to the laws of the land; and as no law gave to parliament an arbitrary power of arrestment, he had provided himself with pistols, and if arrested would shoot the serjeant. The Commons to get rid of this affair entered upon their journals that the man was sick, and had been allowed a month of delay. Thus their *omnipotence*

sneaked out of the scrape. Burnet, in his history, mentions that a House of Commons ordered their serjeant to bring before them many of the people then called *abhorrers*. Of these several refused attendance. Observe their reasons. The practice was no older than the reign of Elizabeth. The Commons could not *receive an information upon oath*, nor punish those who *refused to appear before them*. In Burgh's Political Disquisitions, Book IV. Chapter V. the question of *privilege* has been handled at some length, and its history proves a mere chaos, extremely unfuitable for a source of precedents. It is not safe to make frequent appeals to Britain. The burning of John Jay in effigy, at Lexington in Kentucky, and some other things of that kind were, on the 26th of November, 1794, advanced by Dr. Ames in Congress, as an evidence that democratical societies were dangerous to the federal constitution. But what were such rills of discontent to the cataracts of English defiance? On the 4th of February, 1795, a meeting was held in London to celebrate the acquittal of the prisoners who had been recently tried for high treason. Lord Stanhope was chairman, and Mr. Thompson, a member of the House of Commons, filled the chair in the second room. Mr. Sheridan was also at the meeting. Now, compare what follows with all the worst things ever said by the democratic societies. Mr. Horne Tooke declared that the fortune, the liberty, and the life of every man were in the hands of a scoundrel Secretary of State, Mr. Dundas. "I would rather," said he, "sweep the passage for their honours and their lordships, than I would hold a seat in the manner in which it is now taken. I will not sit among the representatives of *hell*, and whose only constituent is the *devil*." The company drank the health of Mr. Horne Tooke, and the whole proceedings were, next morning, sent to the newspapers. This is a British *precedent*. It shews very fully the hazard of appealing to that source, and what kind of treatment Parliament are forced to bear. Their patience forms a contrast to the behaviour of some members of Congress to news-printers and reporters of debates. Take the following example. Messrs. William and Samuel Lyman are in the present House of Representatives. In an early part of the session here described, the former made one day some remarks which appeared in the Philadelphia newspapers. In two of them, the speech was inserted under the name of

Mr. S. Lyman; in a third under that of *Mr. Lyman*. This mistake gave the utmost offence to *Mr. William Lyman*. He wanted *Mr. Brown*, the last of these three printers, to publish a paragraph advertising this incorrectness of his brethren. The proposal being declined, *Mr. William Lyman* was still more exasperated; with what reason the world is left to judge. If *Mr. Bache* or *Mr. Claypoole* had committed so alarming an error, *Mr. Lyman* should have applied to them, and not to *Mr. Brown*, to repair this dilapidation of his literary fame.

On the 13th of January, 1796, the House took up a petition from *Randall* soliciting his release. An order was granted for discharging him from the custody of the serjeant at arms on payment of the fees. But he was still in the custody of the city marshall, from which the House had no power to discharge him, and he was yet liable to a prosecution from the Attorney General. Thus, in a country which boasts of its *freedom*, a man may be twice tried and twice punished for the same crime. A petition had, on the 8th of January, been presented from *Charles Whitney*. He stated that *Colonel Silas Pepon*, a gentleman from New England, was come to Philadelphia, who could explain the object of their land-jobbing scheme and vindicate his character. *Mr. Sedgwick* moved that the prayer of the petition should be granted. This was for permitting *Whitney* to exhibit *Pepon's* evidence, and enter it on the journals of the House. *Mr. William Smith* and *Mr. Murray* supported this motion. But though the House had imprisoned and ruined *Whitney*, and had since acknowledged that they did so *without the smallest evidence of his guilt*, the proposal was rejected with contempt; *Mr. Sedgwick* observing, with some warmth, that he saw no reason for that *holy indignation* which had been expressed against it.

The account of this affair in Congress has extended to considerable length; but it really deserves much attention from every man who desires to study the history of the United States. The fate of *Charles Whitney* gives a glorious preface of the government that will take place, at the end of this century, in the congressional *Sanctum Sanctorum* of ten miles square. If Congress sport thus with our liberties in the centre of a populous city, they will be a thousand times more arbitrary in a desert remote from public inspection, and whereof they are absolute masters.

The peninsula, that produced this scheme of land-jobbing, is admirably situated for inland commerce. The climate is healthy; and the soil said to be excellent. If, as reported, this tract contains twenty millions of acres, it is larger than Ireland, and in the proportion as two to five to the area of Britain. If the present war shall restore Canada to France, a colony on this part of our frontier might be requisite for the safety of the interior states of the union.

On the 19th of January, the House went into a committee upon the bill of appropriations for the support of government in the year 1796. Mr. Williams moved to strike out all that gross sum appropriated for officers of the mint. This motion has a singular appearance, but a short retrospect will explain it.

In 1791, Mr. Alexander Hamilton, then Secretary to the Treasury, by desire of the House of Representatives, drew up a memorial respecting the establishment of an American Mint. This piece is inserted in the collection of reports printed by the House. The possible advantages and inconveniences of such an institution in the United States, are there explained and illustrated. One chief objection to an American mint, though not stated by Mr. Hamilton, seems to be that there is a constant drain of money *out of* the continent, as well as into it. Thus American gold or silver coin would be constantly exported, almost as soon as struck, while the perpetual influx of Spanish silver might augment that confusion in our current money, which is at present extremely troublesome. Some time after, the establishment was begun, and Mr. David Rittenhouse was appointed director. He accepted this office with reluctance, and, after having held it for a considerable time, was, upon his earnest solicitation permitted to resign it. Whatever unfortunate circumstances have attended this plan, it would be extremely cruel to cast reflections on Mr. Rittenhouse. His aversion to accept this employment, his anxiety to quit it, and the well known uprightness of his private character placed him entirely above any suspicion of interested views.

On the 9th of December, 1794, a letter from this gentleman, as director of the mint, was read in the House. It bore date the 28th of October preceding. Mr. Rittenhouse there stated that a beginning had been made in coining the precious metals. An hundred and twenty thousand

ounces of bullion had been lodged in the mint, for coinage, but much of it was too base for the standard of the United States. It had been successively refined in the mint and the process was still going on. A quantity of blank dollars was ready for coining, but a more powerful press, which was requisite to complete them for circulation, had not been got finished. Cents, to the worth of almost ten thousand dollars had been coined since the establishment of the mint, and paid into the treasury of the United States.

After reading this letter, the House took up the subject of the mint. Mr. Boudinot said that he had gone to the bank of the United States to enquire for cents. He was told that none were to be had, because the bank could not get them from the *mint*. He then went to the mint, where he was informed that cents were not coined faster, because the officers of the mint did not know *where to get them vented*! He said that this mint cost twenty-four thousand dollars *per annum*, and every cent coined there cost the public *several cents*, though he could not exactly tell how many. In New Jersey far more cents had been coined in *a few months* than had ever been coined all together, at the mint of the United States, and this had been done for ONE FORTIETH PART of the expence which the mint of the United States has cost. Several other members adverted to the prodigious inconvenience which is felt all over the union for want of copper coin; and it appeared to excite some curiosity, on what foundation the officers of the mint said that they could not get their cents *vented*. It was remarked by Mr. W. Smith, that, except as to Philadelphia, the mint is of little or no use whatever. The cents given out never go farther than the city. Mr. Boudinot, Mr. Trumbull, and Mr. Hunter, were appointed a committee to examine and report on the state of the mint.

Next day, some paragraphs respecting this affair appeared in the Philadelphia Gazette. The writer began by remarking that at Edinburgh, in North Britain, there is a nominal mint, whereof the salaries come to a thousand pounds sterling a year. He then proceeds thus :

“ It is not wonderful that such abuses are to be found in
 “ an old, worn out, and rotten system like that of Britain,

“ which is just about to tumble into pieces. But the remarks
 “ in Congress yesterday, concerning the American mint,
 “ may lead this country to pluck the *mote* from her own
 “ eye, before she touches the *beam* of her neighbour’s.

“ In the act of appropriation for the year 1794, the
 “ *mint* stands as follows.

	<i>Dols.</i>
“ Director, - - - - -	2000
“ Assayer, - - - - -	1500
“ Chief Coiner, - - - - -	1500
“ Engraver, - - - - -	1200
“ Treasurer, - - - - -	1200
“ Three Clerks, at 500 dollars each, -	1500
“ For defraying the expences of <i>workmen</i> , } “ for the year 1794, } “ For the expences of the mint, including } “ the pay of a refiner, when employed, } “ for gold, silver, and copper, and for } “ the completion of the melting furnaces, }	3385
	2700

“ 14,985

“ Thus the actual expence for 1794 was to be fourteen
 “ thousand nine hundred and eighty-five dollars. Of this
 “ sum two thirds are paid to a director, an assayer, a chief
 “ coiner, an engraver, a treasurer, a refiner, and three
 “ clerks. [In the appropriation bill for 1795, these clerks
 “ are augmented to *four*, and *two thousand* dollars are
 “ charged for them.]

“ There are just other three articles in the appropriation
 “ act of 1794, concerning the *mint*, and *to prevent any charge*
 “ *of partial quotation*, each of them shall be inserted *ver-*
 “ *batim*.

“ The first is ‘ for replacing a sum of money advanced at
 “ the bank of the United States *for the purpose* of an im-
 “ portation of copper, to be coined at the mint, ten thou-
 “ sand dollars.’ This regards what is to be coined in future,
 “ not what was coined in 1794. Of consequence the article
 “ has no reference to any of the salaries paid in that year.

“ The second article is ‘ for defraying the expence of
 “ copper, purchased in the year 1793, seven thousand three
 “ hundred and fifty dollars.’

“ The third, and only other article, is, ‘ for the purchase

“copper in 1794, seven thousand three hundred and fifty dollars;’ the same sum as that charged for the former year.

“From this statement it results, that the mint, in 1794, cost fourteen thousand nine hundred and eighty-five dollars, while the whole money coined was, at most, not more than seven thousand three hundred and fifty dollars; the expence is two hundred and eighty-five dollars more than *double* the product.

“It has been said, that the greater part of the money hitherto expended on the mint, was on charges incident to the *beginning* of a work, and that this charge would hereafter be lessened. This pretence has not even *the vestige of plausibility*. In 1794, twelve thousand two hundred and eighty-five dollars were consumed, not in buying implements for coining, nor in building furnaces, but for a director, an assayer, a chief coiner, an engraver, a treasurer, three clerks, and the workmen. If all these officers are necessary at present, when only seven thousand three hundred and fifty dollars of cents are struck off, then twice the number will be wanted, when twice the quantity of cents are coined, and so on.

“One article in this act is of an amphibious nature. ‘For the several expences of the mint, including the pay of a refiner, when employed, for *gold, silver* and copper, and for the completion of the melting furnaces, *two thousand and seven hundred dollars.*’

“Of this sum a part may have gone for building furnaces; but this is the only portion of the expences which relates to the *beginning* of the undertaking. What employment can there be for four or even *three* clerks to manage seven thousand three hundred and fifty dollars worth of cents? What use for any clerks at all, when you have a treasurer at a salary of twelve hundred dollars? What occasion could there be for such an apparatus of placemen about a few cents? The United States may have a thousand tons of cents, whenever they please to send and pay for them, from Birmingham, at an expence on their actual value, of one or two per cent. at the utmost, and the salaries of all this regiment of stipendiaries may be saved*. This was the cheapest, the most natural, simple, and expeditious way of going to work.

* It is said that an offer of this kind was actually made to our government by an English artist.

“ Instead of copper coin, the people of America are, almost all over the continent, using *dirty paste-board*. In the mean time, the mint officers do not strike of half as many cents as are equal to *discharging their own salaries!*

“ We have looked into the British Court and City Calendar, for the expences of the mint at London. The salaries of that great mint, all together, amount only to two thousand nine hundred pounds sterling; and supposing that perquisites may raise this reckoning so high as six thousand pounds, this, after all, is only *double* the expence of the American mint, at which there is not struck off *one thousandth part* of the money coined at London.

“ One article above cited, speaks of a refiner *when employed for gold and silver*. The public never have seen any of this gold and silver coin, a few specimens excepted. But the English news-printers, with their wonted accuracy of *American* information, have generously issued a plentiful coinage of this kind at Philadelphia.

“ The committee of the House appointed to decypher this business, will, no doubt, enquire, among other points, as to the two following; *first*, how the officers of the mint came to tell a member of Congress, that they did not strike off cents faster, because they could not get them vented? And *secondly*, what possible necessity there can be for an additional clerk in 1795, when the three clerks already paid have nothing to do? The affair is still worse than the Scots mint above mentioned; because, though the mint at Edinburgh coins nothing, yet the people have plenty of excellent copper half-pence.”

These observations confirm an old proverb, that *the king's cheese goes half away in parings**. When the select Committee gave in their report to the House, they forbore to answer the two queries put in the last paragraph. That the bank of the United States would not circulate cents, was far from being the case. Whenever it was known in Philadelphia that a parcel of cents had

* One of the daughters of George the Second requested her father's permission to have her apartment papered. The king replied that “ he could not afford it.” She rejoined that “ it could not cost more than ten pounds.” “ That

arrived from the mint at the bank, every storekeeper who heard of it hastened to seek them. It was a matter of favour to get cents in change for silver. The persons, therefore, at the mint, who told such an absurd story, acted improperly. The committee also omitted to specify the necessity for employing a *fourth* clerk. They expatiate, at some length, upon the duties of the three formerly engaged. "One of them," says the report, "keeps an account of all bullion received and delivered by the assayer, acting in the capacity of refiner." [What should hinder the assayer, who has fifteen hundred dollars per annum for doing very little, and who is also paid additionally as a refiner, from keeping such petty accounts himself, or giving one of the other clerks fifty dollars per annum to keep them for him? The assayer would have made the expence of clerkship *less*, if it had been to come out of his own pocket.] "He also keeps an account of the workmen employed, *pays them their wages*, and procures the necessary materials." [The wages of workmen for the year 1794 came but to three thousand three hundred and eighty-five dollars.] "One other is clerk to the *chief coiner*." [Another pennyworth at fifteen hundred dollars.] "He (the clerk) is present at the *payment of the workmen*, and takes their receipts." This should have been done by the clerk who paid them; and most likely it is so, for when there is next to nothing to do in a public office, the clerks naturally mount guard

"might be," said he "to a common person, but I assure you that it would cost *me* a thousand."

The author from whom this anecdote is taken adds that the account would probably stand thus:

To A. B. Esq; M. P. for the borough of C.	
surveyor of the princesses apartment,	£. 300
To Mr. J. D. deputy surveyor of the princesses apartment for himself and two clerks,	150
To Mr. F. K. chief paperer,	150
Deputy paperer,	50
To R. W. Esq; member for the county of N.	
comptroller of the works in the princesses apartment, for himself,	300
Board wages for twelve servants for a month,	40
Paper, paste, and a workman for four days,	10
	<hr/>
Total,	£. 1000

in turn, while the rest seek employment or amusement somewhere else. It is affirmed by people who frequent the mint, that they have been at a loss to find a clerk there, and that some of the receivers of these salaries of five hundred dollars do not once enter it, unless perhaps to sign a receipt for their wages. They are to be found regularly doing business at other places.

The report says, that "the remaining clerk counts *the coin issued from the mint.*" The depth of his calculations will not put him in danger of a head ache. There was a great deal more told about the duties and exertions of these clerks, and the officers of the mint, but no labyrinth of words could hide the absurdity of paying fourteen thousand dollars, besides the price of copper, for the coining of seven thousand. As to the new additional fourth clerk, this report gives no reason for employing him, and indeed the committee had found sufficient exercise for their ingenuity, in eking out something to do for his three elder brethren. In fact their report implies that he was useless, for they say, p. 12. that "the accounts of the mint appear to be fully checked against every avenue of deception." In the bill of appropriation for 1795, this additional sinecure passed without objection. In this way public money goes, while the nation can hardly pay the interest of its debts, and while hundreds of the brave men who sold their certificates for a shilling per pound, are annually heaping the table of Congress with waste-paper petitions. No blame can or ought to be attached to the gentlemen accepting these donations. To look behind every desk for an Aristides, or a Sully, is to demand from human nature what neither experience nor candour entitle us to expect. When cash is to be cast away, every bystander has an equal title to pick it up.

The Committee also gave in a state of the whole expences of the mint up to the 30th of September, 1794.

	<i>Dols.</i>	<i>Cts.</i>
Lands purchased, - - -	4,266	66
Buildings, apparatus, machines, &c.	22,720	45
Purchase of copper, - - -	15,815	51
Salaries to officers, - - -	15,591	99
	<hr/>	<hr/>
	58,394	61
Deduct the copper, - - -	15,815	51
	<hr/>	<hr/>
	<i>Dollars,</i> 42,579	10

Thus the wages and expences of the mint had cost, at that period, forty two thousand eight hundred and fifteen dollars. At the same time, the country was fully supplied with excellent Spanish silver coin, and as for cents, Mr. Boudinot affirms, that they could have been had in New Jersey, at one fortieth part of the expence incurred by the mint of Philadelphia. The committee farther menace us with the necessity for a *Refiner and Melter*. This battalion of pensioners afford one, among many good reasons, why the public, in sea port towns, have been paying a shilling per dozen for onions half rotten, and half a crown for a couple of chickens, that a hungry cat would pick to the bones, without risk of a surfeit. Thus assayers and coiners get each of them fifteen hundred dollars for an employment which cannot materially interrupt their other business, if they have any. At the same time, persons of real use are but reasonably rewarded. When a representative to Congress comes eight hundred or a thousand miles from Georgia or Kentucky, to reside for six months in Philadelphia, an exile from his family and his private affairs, he receives but a thousand and eighty dollars for the expenditure of his time; and commonly does not save any part of the money. Many lawyers sacrifice large sums annually, by holding seats in Congress. A member cannot, like a British legislator, afford to kiss the wives of his electors *with guineas in his mouth*.* On the 27th of January, 1795, a motion was made in the house of representatives for a general reduction of salaries. On this occasion, Mr. Boudinot stated that he had been originally opposed to the six dollars a day to members, but after spending three sessions at New York, he found on casting up accounts, that he had either gained or lost, for he forgot which, the sum of forty-three shillings and fourpence. Mr. Muhlenberg, while Speaker to Congress in that city, sustained during one session a considerable *deficit*. Most clerks in public offices have a difficulty in making the two ends of the year meet; and extra assistance is often granted to them by the legislature. Within the short space of fifteen months, Mr. Jefferson, Mr. Hamilton, and Mr. Knox, successively gave up their places, as secretaries of state, of the treasury, and of war; and each of them assigned as one reason the narrowness of

* *Vid.* Burgh's Political Disquisitions.

his salary. While effective officers of the union have thus their faces held to the grindstone of economy, it is unaccountable to be supporting such charges at the mint. From this long digression, we now return to the motion of Mr. Williams, on the 19th of January, 1796, for striking out the gross sum appropriated to mint officers.

The Speaker thought the resolution too extensive. He would vote to strike out the ten thousand dollars for the purchase of new copper. Mr. Williams agreed to restrict his resolution. He mentioned that the cents are issued from the mint at a cheaper rate than the price of the copper itself; so that if a person chuses to melt down a pound weight of cents into a lump of copper, and takes this lump back again to the mint, he will receive more money for it than it was worth in cents. Thus the whole expence of workmanship is cast away. The resolution as amended was carried in the committee, and reported to the House. Mr. Livingston then moved, that the whole appropriation for the mint should be struck out. A member expressed his hope that the resolution would prevail. He had occasion to go to this mint on business for a bank which he named, in the state of Maryland, and had seen the way in which business was managed. The institution, he said, was *a bad one, and badly conducted*. It had been *most scandalously carried on*; and with very little advantage to the public. If not to be better managed in future than it has been, it ought to be thrown aside. The debate was continued next day; Mr. Livingston having excepted from his resolution the salaries to the officers of the mint. His motion was lost, ayes 40, noes 45. The amendment for striking out the ten thousand dollars for copper, which had been past in a committee of the House, was lost, ayes 34, noes 44. Thus the mint escaped, after numerous reflections of the severest kind. The gold and silver coinage had now begun. Mr. Williams read a statement by which it appeared that the total issues of the mint from its establishment up to that time, was four hundred and fifty-three thousand, five hundred and forty-one dollars, and its expence sixty-one thousand five hundred and thirty-two dollars, being more than thirteen *per cent.* for coinage.

On account of the speaker being ill, the House did not do any farther business till Monday the 25th of January. The successive adjournments till that time created an appa-

rent, but hardly any real delay in the progress of public business. Almost the whole House are divided into select committees, such as that of ways and means, of elections, of claims, of commerce and manufactures, and of the mint. It is a mistake with some people, that gentlemen have nothing to do except during the hours while they sit in a collective body. In fact, this is often but the lightest part of their duty. Mr. Venable, chairman of the committee of elections, obtained, about this time, leave for that committee to proceed with their separate business, while the House was convened, from the impossibility of otherwise dispatching what they had to do. Mr. Tracy, chairman of the committee of claims, remarked in the House, a few days before, that the members of this committee had but just time enough to eat and sleep. Justice to Congress required this explanation.

CHAPTER IV.

Treaty with Spain. Correspondence of Dummore with the Creeks. Effects of opening the Navigation of the Western Waters. Advantages of Unanimity in the United States. Attempts to dissolve the Union. Webster. His scurrilous treatment of the Southern States. Wilcocks. Letter from the Aurora. Inflammatory Hand-bill against New England. History of the Connecticut claim on Luzerne. Mr. Pickering made prisoner. Trial as to these Settlers. Impossibility of driving them out. The Senate. Encomium on them by Mr. Sedgwick. Constitutional Queries.

ON the 20th of January, 1796, intelligence was received at Philadelphia, of a treaty being signed at Madrid, on the 27th of October preceding, between the King of Spain and the United States. The principal object of the negotiation had been to obtain, for American citizens, the free navigation of the Mississippi. One might wonder why such navigation ever was denied, since it could not injure the Spanish interest; but the history of Europeans in America is full of such perverseness. Thus, when the Dutch held the province of New York, they had an hundred times more land than they could occupy, yet they frequently quarreled with the New England settlers, and would have rejoiced in an opportunity to expel them. On

the other hand, the English were angry that the Dutch were suffered to live in the centre of their colonies*. In 1654, without provocation or pretence, and in the midst of peace, an English commodore drove the French out of Penobscot, and St. John's; and Hutchinson whitens over this usurpation by saying that the English *had good right to the country*. The French, when masters of Canada, were equally disposed to wanton mischief. Thus the jealousy of Spain was not singular. That nation had gone still farther. On the 20th of May, 1794, a message was received by the House of Representatives from the President. He stated that there had been danger of hostilities against the territories of Spain in the neighbourhood of the United States. Some papers, including a correspondence between the Executive and the Governor of Kentucky, accompanied the message, and were read to the House. The tone of the Governor indicated, that he would make no vigorous exertions to prevent the expulsion of the Spaniards from the banks of the Mississippi. He spoke of them as a perfidious and worthless people, who were constantly exciting the savages to murder the settlers on the new lands. That the accusation was just, there can be no question. Something of this sort has been practised by every European nation in North America. Kalm, the Swedish traveller, says, that, far within the present century, the Dutch at Albany used to trade with the Indians, after the latter had made irruptions into New England. They bought silver spoons and other articles of plunder. The New Englanders knew this, and sometimes threatened that, in the next Indian war, they would begin with burning Albany. The real cause of the war in 1756, was shortly this: France and England wanted each of them an exclusive privilege in three points. First, the honour of selling drams to the Indians. Second, a monopoly of cheating these people in the purchase of their furs. Third, the exclusive right of exciting them to butcher and scalp individuals of the rival nation. The humanity of this project was equalled by its *wisdom*. Every campaign of that war cost each of the parties more money than would have bought, in fee simple, all the furs in the world. The Spanish negotiations with the Indians afford, therefore, no peculiar ground of reproach. It

* Hutchinson's History of Massachusetts, Vol. I.

appears likewise that the British had entertained some hopes of stimulating by connivance from Spain, the Creeks and Chickasaws to the same employment. The charge is not advanced without evidence. The following deposition has been transcribed from an attested copy in the repositories of Congress; and deserves a place here to shew one of the many reasons that this country had for desiring a free passage down the Mississippi.

Deposition of William Jones, Georgia.

WILLIAM JONES, of the county of Wilkes, in the State aforesaid, being duly sworn maketh oath and faith, that about four months ago, he was employed and did go through the Creek country, to carry a letter to Ford, Reid, and Co. at Pensacola, from Willing, Morris, and Swanwick, of Philadelphia; that arriving at Pensacola, the Lieutenant Governor directed him to go to the principal Governor at New Orleans, which the deponent did; that returning from New Orleans, and arriving at Pensacola about four weeks since, he there saw Colonel Brown and Colonel Richard Paris, of and from the island of New Providence, with letters from Lord Dunmore to the Governor of Pensacola, to obtain a passport to the CREEK COUNTRY, which letters he saw delivered; and that the deponent understood they had a large quantity of goods for THE CREEKS, and was told by Baillie China, and the Indian trader Russel, that they were to hold a treaty with THE CREEK NATION. The deponent further saith, that from the above facts, and the circumstance of the apparent gladness of THE TORIES, who fled from the states and live there and at Tom Bigby, he supposes they were on a public embassy, and not on a trading scheme.

The deponent upon his said oath, further saith, that the house of Panton, Leslie, and Forbes, lately sent a parcel of goods to the Chickasaw country, and that the Mountain Leader had seized them, and made prisoners of the traders, alleging a treaty with the United States; and the deponent heard that their goods were also sent by the direction of the said Brown and Paris.

(Signed) WILLIAM JONES.

Sworn to in Severn County, }
the 15th day of August, 1794. }

In addition, the deponent further saith, that although he had been promised a pass to return to Georgia, *after the arrival of Brown and Paris*, he was refused, otherwise than circuitously by water.

Thus we learn the kind intention of our British allies. The Spanish treaty will put an end to danger on that side; for by the rapid increase of the south western settlements, the Creeks must be gradually surrounded and shut up as in a bag. In a few years, they will probably become as insignificant as the Six Nations. The news of the Spanish treaty was received in America with universal joy, as bearing the most favourable auguries of peace and prosperity. By the fourth article, the King of Spain secures to the United States the free navigation of the Mississippi. By the twenty-second, he engages that they shall, for three years certain, have liberty to deposit their merchandize at New Orleans; and to export it from thence, without paying *any other duty* than a fair price for the hire of the stores that lodge it. If at the end of three years, the king of Spain finds an inconvenience in making New Orleans the *entrepot* for American exports, he promises to assign another place for an equivalent establishment, on the banks of the Mississippi.

An agreement more favourable or advantageous for this country, it is impossible to ask or even to wish. It has likewise a chance to be permanent; for it is founded on the immutable principles of equity. Nothing can be more ridiculous or tyrannical, than that a king of Spain should ever have assumed a right of preventing the Americans from sailing down the Mississippi. The king of England and the emperor of Morocco, might as well conspire to hinder any people, excepting their own subjects, from sailing through the gut of Gibraltar. It would require a volume of paper, and twenty years of experience to enumerate and even to discover the multiplicity of benefits that may be expected from the navigation of the Mississippi being laid open to the United States. The western counties of Pennsylvania, Kentucky, and the Tennessee territory, will feel an immediate and inestimable advantage by the advance in value, which their crops must acquire. Emigrants to these countries will augment in a suitable proportion; so that by the lapse of ten years, if no disastrous accident intervenes,

Kentucky alone will contain perhaps, as many people as Pennsylvania. The market of the West Indies must, in some degree, be centered at the mouth of the Mississippi.

A notion has prevailed, that the navigation of this river cannot be of much benefit to our fellow-citizens, on the western waters, because the rapidity which hurries their vessels down the Mississippi, will make it impossible for them ever to get up again. But if the Kentuckians are not able to bring their vessels up against the stream, they will be able to sell them at prime cost, for they can build them at a cheaper rate than any other people in the world. Even if that market should fail, which is very unlikely, they can bring down their produce in boats, and a boat which descends *loaded*, may surely, with as much expedition, ascend back *empty*, admitting every thing for the difference in the current.

This treaty must convince the western citizens of the union of the extreme advantage which America derives from acting as one mass of people. If they had been formed into an independent republic, the court of Madrid would have scorned to grant such a free navigation. The Kentuckians, it is true, might have burnt New Orleans, but they could not have ventured on the ocean. They would have been plundered by every nation, whose vessels they happened to meet. It is only by acting in an united body, that America can become respectable and important. An hundred years hence, when the population of this continent extends to sixty or eighty millions of souls, posterity will be in a different situation.

In no part of the union is the growth of population more rapid than in Kentucky and Tennessee. The emigrants to the former, during the years 1795 and 1796 cannot have been less than sixty thousand persons, and it will perhaps be proved from the registers kept for the routes of Pittsburgh and the Wilderness, that they much exceed that number. Mr. White, delegate to Congress, from Tennessee said that he did not think the emigrants to that state for the year 1795, could be fewer than twenty thousand. The opening of the western navigation will augment the annual number, and may perhaps tend to reduce the price of land in the Atlantic States, and check the spirit of land-jobbing. To monopolise all the lands in the western territory, is beyond the grasp of the most sanguine speculator.

An immense tract of fertile country, intersected and laid open by a multitude of navigable rivers, presents an object too vast to be embraced either by the purse, or the credit of a few individuals. People on the Atlantic coast will not submit to pay a high rate for land, when much better may be had on the Ohio, and the Mississippi, for a tenth or an hundredth part of the money; and when that land is so well situated for the market of the West Indies.

While so great advantages are to be derived from mutual union, every friend to the country must regret those unlucky attempts which are often made to sow seeds of jealousy between the different states. Some notice shall here be taken of publications tending that way, because it is impossible to start an idea more perfectly ruinous than that of a disjunction. The Aurora of the 24th of November, 1795, contains the following article, copied from the New York Minerva.

“Advices from Georgia announce that the blacks are very troublesome and excite alarms. If the blacks in the southern states become a little more restive, it will be a very bad time for ambitious intriguers there to threaten the union of the states: And it is easy to see that their efforts to shake our present excellent government and administration, must *end in a dissolution of the union*. The northern states have carried through one revolution *almost by their sole exertions*. They have by the late treaty assumed a share of the debts of the southern states. They have borne much and borne long, and if the southern states will not suffer them to enjoy *peace with a good government*, it is apparent that a separation must be the consequence, an event greatly to be feared and regretted; but one for which the minds of people seem to be fast ripening.”

No other newspaper hath since the above publication mentioned any *alarms* from the blacks in Georgia. Nobody can point out the *ambitious intriguers* in that state who threaten the existence of the union, or specify *efforts* to that effect. In 1794, a slight attempt was made by General Elisha Clarke*, and a few other persons to set up an in-

* This is the gentleman so distinguished during the war of 1775, for his exploits against the Indians. They remarked that Virginia was *the knife*, and Clarke *the point*.

dependent government upon lands belonging to the Indians to the south of the river Oconee. They built a fort, but never assembled at one time above eighty men. A few dragoons and militia were collected, and the people received notice that if they would abandon their fort, their persons and property should be protected. They dispersed; and the fort was peaceably burned. Not a drop of blood was spilt. These particulars are extracted from a letter dated the 29th of September 1794, from Constant Freeman to the Secretary at War. The story is already as much forgot, as if it never had happened. How then is it easy to see *that such trifles are to dissolve the union?* That the minds of people seem to be *fast ripening* for such a dissolution is an atrocious untruth. The writer ought to have told what he means by saying that the northern states *have borne much and borne long*; and what he would signify by supposing that *the southern states will not suffer the northern to enjoy peace and a good government.*

The following remarks are copied from the *Minerva*, of the 11th of February, 1796.

“ It is worthy of notice that the *patriots* in Philadelphia, who, at their late celebration of the French and American alliance, made an invidious distinction between the reception of *Mr. Jay* and General Wayne, when they returned from their negotiations, at the same time toasted the ‘ State of Virginia,’ and wished all the states to imitate *her patriotism*. Men who can toast *Virginia patriotism* must be fitted for any degree of moral turpitude.

“ The *patriotism* of Virginia, as well as her *credit*, stand among her sister states on the footing that *Punic Faith* did among the Romans.”

As to the Romans, their canting about *Punic faith* resembled William Pitt railing at the *perfidy* of France. The citizens of Philadelphia who celebrated the French and American alliance, are, it seems, fitted for *any degree of moral turpitude*; or, in plainer words, they are *complete rascals*. This is wholesale work. The reason given is as curious as the assertion itself. They toasted the State of *Virginia*, &c. If it is such a crime even to toast that state, it follows that Virginia itself must be one vast *NEWGATE* out of doors. Webster, the printer of this newspaper, when in a scolding fit, frequently charges people whom he does not like with reviling the President. But of all insults ever heard of,

this is the grossest, and the President and his whole family, being natives of that state, this reproach hits them as well as other people. To Webster, we may apply what Peter Pindar says of Jemmy Boswell.

Loud of thy fame full many a tongue hath spoken,
And wonder'd that thy bones were never broken.

Another most audacious paragraph was copied from this *Minerva* in the Philadelphia Gazette of the 18th of April, 1796. Speaking of the British treaty, Webster goes on thus. "One event is the most certain consequence of a violation of the treaty by the House of Representatives, *a violation of the union*. The northern states fought the battles of *the southern* during the last war. They fed, clothed and supported the army. They secured independence. They have offered now to pay the debts of the southern *delinquents*. They consented to give the southern states a fourth more representatives than they are justly entitled to by admitting two-fifths of the blacks to be represented; and yet those states are not satisfied. *A violation of national faith*, at this time, will be considered by the northern people, *as a throw of the gauntlet*. The challenge will be accepted, and the northern states will rid themselves of a weight that hangs like a millstone *about the neck of our prosperity*."

The writer should have informed the public what authority he had for asserting that the northern states would break the union, if the representatives refused appropriations for fulfilling the treaty. When it was first published, the Bostonians held a numerous town meeting, and dispatched an express to the President, intreating him not to sign it. Several New England members, Mr. William Lyman, Mr. Dearborn, and Mr. Sherburne, for instance, invariably voted against it. But if the New England states were to have separated themselves from the southern states, they must also have renounced New York, New Jersey, Delaware, and Pennsylvania, because in all these states, the treaty excited great opposition. In every state of the union, it had likewise numerous friends, and none more zealous than those in Maryland and Virginia. The public at large appeared to be about as equally divided on the subject as Congress itself. What then did this man design by wanting, as he constantly does, to draw a line of distinction between the eastern and southern states? As to the

former *ridding themselves of a millstone*, New England disjoined from the union would look like man's head when severed from his shoulders. It is needless to be reserved in plucking a crow with this editor. Either he is wrong in the head, or he receives a British pension. If the court of London had hired an American newsprinter to disseminate discord and excite a civil war in this country, such a tool would have assumed precisely the tone of the Minerva. As for the northern states having fought the battles of the southern, in the last war, every one of his assertions is unfounded. They have been refuted in *Harrington's* letters, published in answer to this paragraph in several newspapers.

They (the northern states) have offered now to pay the debts of the southern delinquents! This is very decent language, and extremely conciliating. Are the four New England states exclusively to pay them? or when are they to be paid? It was highly ridiculous in the Americans, at the end of the war, to discharge one farthing of these debts. Mr. Guelph should have paid the creditors himself, as he did the refugees.

They consented to give the Southern States a fourth (part) more (of) Representatives than they are justly entitled to. Thus we learn that about fifteen members of the House of Representatives should be turned to the door. Yet this man pretends to be the champion of the federal constitution, and rails at every one who dissents from his oracular decisions, as an *antifederalist*. This is his constant stile. Compared with Noah Webster, the person who undertook to get into the quart bottle was a paragon of consistency.

In a piece published in February, 1796, Webster compares Mr. Edmund Randolph selling the copy right of his *Vindication* to a criminal at the old Bailey, selling his body to a surgeon, and his confessions to a bookseller. When an author sets off in this stile, it is only doing justice to the public to hold him out as an object of censure, as an instructive epitome of all which ought to be avoided. Admitting that Mr. Randolph was culpable for selling the copy right of his pamphlet, which by the laws of his country, he had a title to do, an appeal may safely be made to every reader possessing taste and delicacy, whether such similies are not an affront on the public, and a disgrace to typography.

As *Minerva* is a Latin word, some people may be ignorant what it originally signified. As the passage above quoted is only *one* among thousands of the same stamp, it is natural to guess that *Minerva* meant an oyster-wench. At least, it would never be suspected, that she was the goddess of wisdom, and the patroness of the fine arts. But after all, if Mr. Randolph did sell his copy-right, it was proper that Mr. Smith, who printed the work should be as sure as possible of indemnification for his expences. The Editor of the *Minerva* is himself a book-maker, and if he were to publish a work that was expected to have an extensive circulation, he would certainly, and with strict propriety, secure the copy right. Why then rail at Mr. Randolph, or his printer, for doing, what is lawful and usual for every other person?

Such a kind of writing has not been peculiar to the *Minerva*; nor is it the printer, but the readers who are answerable for its existence. If the world were firmly determined to discountenance such publications, on whatever side of a question they might happen to lean, party printers would soon acquire a decent stile. A New England news writer boasted, some time ago, that so many thousands of newspapers were printed in his state, and that, while the printing of newspapers continued to flourish so greatly, while the people continued to receive such immense quantities of information, it was impossible for them to be misled or deceived. Experience will sometimes induce an opposite conclusion. When a newspaper proves a mere vehicle for scurrility, it is one of the vilest nuisances.

Another of the New-York literati has been at uncommon pains to set the citizens of America together by the ears. A writer in the *Aurora* of the 25th of February, 1795, gave him justice.

“ TO THE EDITOR OF THE AURORA.

“ SIR,

“ I am a plain man, and being incommoded with
 “ more than usual auricular sensibility, I avoid as much as
 “ possible every species of noise. All tedious talkers, and
 “ verbose writers are my utter abhorrence.

“ Judge then what was my mortification, upon being
 “ forced this morning to read aloud to a large company two

" letters printed by William Wilcocks of New York, who
 " certainly has an uncommon share of leisure time.
 " If this man had not, by the cruelty of nature, been
 " divested of abilities, he would have proved an accom-
 " plished incendiary. As the case now stands, his perfor-
 " mances are marked by the incoherence of madness, with-
 " out its animation. The nearest parallel which I can find
 " to him is a toothless rattlesnake. I beg his pardon; I recol-
 " lect a still closer resemblance, and that is the author of
 " *the remarks on the political progress of Britain*, alias ycleped
 " THE BONE.

" The latter is, however, by much the better of the two,
 " for he prints his commodity in a separate pamphlet, so
 " that you may either buy it or otherwise, as you please;
 " but WILLIE, having gained over the printers of news-
 " papers to his side, is constantly staring in our faces, whe-
 " ther we will or not.

" What profession does the man pretend to follow, that
 " he can have leisure to scribble such heaps of trash?
 " *What good end can any printer imagine that such miserable*
 " *trumpery is to serve?* I would pay two dollars a year
 " additional of subscription to an editor who would give
 " me security not to print one line either *pro* or *con* about
 " this endless chatterer, this typographical magpye, whose
 " most insignificant name is so ostentatiously pinned like a
 " dishclout to the tail of each of his bantlings.

" Sir, since I have begun to write, I shall tell you ano-
 " their grievance. In all our letters, essays, congressional
 " and other speeches, it is becoming fashionable to say that
 " America is the *admiration* and *envy* of the world. I ad-
 " mire this country and every thing about it, as much as
 " any body can. But this kind of swaggering does not
 " suit with the plainness and simplicity that ought to dis-
 " tinguish a Republic. Let us leave such foolery to Eng-
 " lishmen, who have so long deafened the world with pane-
 " gyrics on their most excellent (*execrable*) constitution.

" A. B."

About two years ago, the German Lutheran Church in
 Philadelphia was burnt down. Noah Webster turned this
 melancholy accident into jest, by a piece re-printed in the
 Aurora of the 8th of January, 1795. He said that it hap-
 pened during a meeting held in that church by the German
 Republican Society. At the same time, he knew this to be

an untruth. No such meeting had been held in that place. Nine-tenths of its congregation knew as little of that society as they did of Webster. We need not wonder that Nero played on his flute while Rome was in flames. Philadelphia, likewise, can boast of a panegyrist of conflagration. This writer has celebrated the demolition of Dr. Priestley's meeting house, raves at the French as enemies to *religion*, and ranks among his patrons a doctor of divinity and a bishop*. Literary fame appears farcical, when we look at the sources from whence it is to flow.

The people of the United States cannot be too much on their guard against injurious reports like those above described. A recent instance of that sort calls for particular notice. In October last, a handbill was circulated through several countries of Pennsylvania recommending Mr. Jefferson as President. It contained some passages deserving reprobation. For example: "The New England people
 " now support *insurrection* and *forcible intrusion* upon the
 " territory of Pennsylvania. It is a solemn truth, that
 " men, high in office in the Federal Executive and Ju-
 " diciary, belonging to New England, and their relations,
 " have been and are deeply concerned in that lawless
 " business, which would *take away millions of acres of the*
 " *territory of Pennsylvania, and reduce her to become a depen-*
 " *dant province of New England.* Seven years ago the high-
 " est Federal Authority in the union, determined the claim
 " against the New England people; and little more than
 " a year ago, it was again determined against them by the
 " Federal authority; but they still go on *in defiance of the*
 " *laws:* [Thus, appealing from one court to another is,
defying the laws!] " Yes, fellow-citizens? Federal New
 " Englandmen, as they call themselves, who would have put
 " to death any citizen of Pennsylvania, who should oppose
 " them, would now, in the most violent and lawless manner,
 " force you to give up near *half the state*, to their wicked
 " and unjust pretensions; and at the same time ask you to
 " make one of their countrymen President.

The story here referred to has formerly cost bloodshed, and seems even yet to be grossly misunderstood. A short explanation will serve to promote that good will so extremely

* British Honour and Humanity, p, 54.

desirable among fellow citizens. James the First granted to the colony of Connecticut a charter extending their limits backwards as far as *the South Sea*. Charles the Second, by two charters to his brother and William Penn, crossed this grant, which ran in an oblique direction through New York and Pennsylvania. The Connecticut settlers received no compensation, so that if a royal charter conferred a right, those of Charles were palpably unjust. To say that the original patentees consented is nothing. It was the lamb consenting that the wolf should tear her to pieces. Connecticut never forgot her claim, and after many intermediate steps, a colony under protection of the state made about the year 1770, a settlement at Wioming, in the county of Luzerne. Dr. Plunket, formerly an English highwayman, and thereafter a Pennsylvanian justice of the peace, with a body of armed men, attacked them. He was defeated. The British war ensued. The greatest part of the new settlers went to the continental army, as part of the Connecticut quota. Had the other citizens of this state turned out as gallantly, Howe and his army never could have reached Philadelphia. In their absence from Wioming, a body of tories and Indians under Butler and Brandt destroyed the settlement. If Wioming had been colonized from Pennsylvania, the inhabitants would have been expelled or extirpated. If it had not been planted at all, the savages must have come farther into the country in quest of plunder. Thus the state should have been thankful that this colony stood between them and the storm. After the war, commissioners were appointed to meet at Trenton, and decide the claim. The proprietary right was assigned to Pennsylvania. The hand-bill says, that, *seven years ago*, the claim was determined. If the decision had affected the individual planters, those who obtained the victory should have pursued it, by ejecting them. But no such ejection was contemplated by the decree of Trenton. The lands occupied by the Connecticut people had been formerly sold by Penn; and the purchasers were harassing the foreign settlers. The Assembly of Pennsylvania passed, about the year 1788, a law called the *quieting act*, whereby the lands possessed by the foreigners were confirmed to them, and at the same time a stipulation was made that the claimants under Pennsylvania should be provided with other lands. The assignment was indefinite,

and gave but small satisfaction. The Connecticut people had been formed into a county, by their parent state, so that they were not, as it has often been represented, a mere lawless gang of intruders without any legal countenance. The decree of Trenton having dissolved their union with Connecticut, it became their great object to obtain admission as citizens of Pennsylvania. This they had long solicited by petitions to the Assembly, and it was now held out by the quieting or confirming act. They were to appear, at a place named, within a certain space of time, and give in their titles to commissioners appointed by the assembly to examine them. General Heister, Colonel Pickering, now Secretary of State, and others, were nominated, and went up to Luzerne, wherein the lands are situated. The people, anxious for legal security to their farms, thronged in, and as it came out in evidence on the late trial, they were, a very few individuals excepted, extremely well pleased with the plan. It was blasted by an unlucky circumstance. The land had originally been parcelled out into shares of six hundred acres each by an association of persons called the Susquehannah Company, acting under permission from the Assembly of Connecticut. The first class of settlers were hence called *whole share* men. After the British war when the colony was menaced with an attack from this state, they advertised that any able bodied man, who was willing to fight in their defence, should have a *half share*, or three hundred acres. They were urged to this measure in self-defence, for the matter had become so serious, that General Parsons of New England entertained some thoughts of joining them with a body of troops. Ethan Allen, also, by a letter which was read in the late trial, offered to bring them a reinforcement of the people then called *Green Mountain Boys*. Indeed the history of Vermont is little more than that of Wyoming upon a larger scale. This invitation and offer of *half shares* drew together several adventurers, and by their means the commission ended without effect. The quieting act did not extend to these people, who were thus in danger of being turned entirely destitute. Many of them left the colony, and went up to Tioga. Some of the old settlers had even bought the lands of these half share men, and thus the confirming law was offensive to them; but they were few in number. Colonel John Franklin, now a

member of the Assembly of Pennsylvania, was thought to be one of them, and some of the commissioners, for they were not all in the secret, gave notice to the state government at Philadelphia that a plot had been formed, of which Colonel Franklin was said to be at the head, to drive them out of the settlement. Five men were dispatched up to Luzerne to arrest him, which, after a scuffle, was done and he was confined for eighteen months in the jail of Philadelphia. But this measure hastened the expulsion of the commissioners. The terms of the confirming act were thus unfulfilled, but not by the fault of the original settlers. It was entirely a scheme between the half share men, and a few whole share men, who had purchased lands from some of them. The next assembly of Pennsylvania, on finding that the law had not been fully complied with, repealed it. The matter has hung in suspense ever since. In revenge for the imprisonment of Colonel Franklin, the half sharemen, to the number of about twenty, took Colonel Pickering prisoner in his own house in Luzerne, where he had bought a plantation. They carried him into the woods, and kept him for twenty days with one of his legs chained to a log of wood. The militia of the County went out in search of him in every direction. At length he recovered his liberty, and never imputed the smallest blame as to this affair to the original settlers. One of the persons who seized him was mortally wounded by the militia. Others were condemned and imprisoned for an appointed time. Here the story should have rested; but instead of that, when Wyoming chances to be named in this city, an alarming narrative is in readiness as to the seizure of Colonel Pickering. The fault is charged upon the people in general, though committed by a few desperadoes. In this hand bill, on the contrary, the wonted inconsistency of error alludes to Colonel Pickering as a fellow conspirator with these alleged outlaws from Connecticut. Perhaps our Secretary of State is indebted for this mark of distinction to his zeal in urging the President to an immediate ratification of Jay's treaty, and to his remark that "the struggle to defeat it was the act of a detestable and nefarious conspiracy."* At this time, Mr. Pickering knew that Mr. Randolph opposed this ratification; he was therefore

* Randolph, p. 54.

included in the plot. Envidable are the taste and talents of that disputant, who can convince the judgment of an antagonist without offending his personal feelings!

As so much complaint has been made against the Connecticut settlers, let a few words be endured in extenuation of their guilt. It is not disputed that the charter from Charles the second carried Connecticut quite across the continent, as far as California. It is also certain that these grants were for the most part dearly bought. Charles, though an expert extortioner from his subjects, was constantly and deeply in debt; and even if he gave the charter above mentioned as a present to some of his favourites, they would not fail to squeeze the actual settlers as far as possible. Belknap's history of New-Hampshire shews how long that State was incommoded with the claims of proprietaries. Now, the Connecticut grant being paid for, Charles comes forward, and cuts off almost the whole territory marked out by himself. One part goes to his brother. A second discharges a debt which he owed to William Penn. This was no better than his shutting up the exchequer. A partition of Connecticut was altogether as iniquitous as a partition of Poland. It could not be expected that a colony so straitened for want of room, were to forget this invasion. The thing was impossible.

Let us now turn to contemplate the conduct of the State of Pennsylvania, and how they treated this very charter to Penn, when it stood in *their* way. At a single wrench they seized the whole right of his family over a country that contains perhaps thirty millions of acres, and gave in return an hundred and thirty five thousand pounds sterling. It was never pretended that Mr. John Penn was a refugee, or that he in any shape either betrayed or injured the interest of Pennsylvania. If the State could have found any pretence of that kind, they would not, it is to be presumed, have granted him a single farthing. They did not allege any such thing, and thus the seizure of his property was as undisguised an act of irregularity as it is possible to conceive. Political expediency was the only alleged cause, and one of the greatest weight. If the old charter had stood in all its force, the Penns would, before this time, have been absolute sovereigns of Pennsylvania. A monarch proprietor of seven eighths of the soil, and with a quit-rent

over the greater part of the rest, would have been the most irresistible master that perhaps the world ever saw. The society of Friends, a sect so numerous, so powerful, and as impenetrably wedged together as the Macedonian phalanx, would have watched the interest, and supported the prerogatives of their chief, with all the zeal of loyalty and all the enthusiasm of religion. Their exertions, combined with that overwhelming influence possessed by the next to universal landlord, would, before the end of this century, have rendered the throne of the Penns as to internal authority, more completely founded, than that of any monarch on earth. Such consequences were foreseen. The knot which could not be loosed was cut asunder. But while the Assembly of the State were thus bursting through the charter of Penn, the only pretence which they had to the soil, they grounded *on that very charter* a claim to the territory of Wyoming: It is easy to see why the State *could find nobody willing to fight in such a cause*. People are not here, as in the old countries, obliged sometimes to cut throats for a livelihood. A labourer in Pennsylvania will very seldom give up a good diet, and a dollar per day to become a soldier, unless he has a motive more powerful than military wages. The Assembly, without pretending to any title but that of Brennus,* seized thirty millions of acres, and then their spotless purity was shocked because the Connecticut people, in virtue of a charter much older than that of Penn, retained about an hundred and fiftieth part of the common spoil. How must this act of wickedness have shocked the nerves of our sublime moralists in the State-house! It was just like Julius Cæsar executing *pirates*. The citizens of Pennsylvania will, sometime or other, perceive the absurdity of railing at their *pupils* in Luzerne. With such an example before them, it could be no surprise that the half share men attacked the commissioners. This was the kind of high treason for which colonel Franklin was imprisoned.

The trial referred to took place at Philadelphia, in April 1795, in order to remove John Dorrance, a Connecticut claimant. He was cast, and an appeal was to have been made. In the mean time, the nominal prosecutor, Cornelius Vanhorne, had fled the country for horse stealing. Some

* Vid. Plutarch, in the life of Camillus.

formality of the law required a personal intimation of the appeal, and the defendant was embarrassed by the difficulty of finding out Vanhorne. Here the matter stood about five months ago.

The hand-bill has misrepresented several things. There is at present no forcible intrusion or insurrection in Luzerne. The colony from Connecticut has been settled for about twenty-five years. The country is in profound tranquillity. The laws are executed there just as any where else. The land actually possessed is less than *two hundred thousand acres*. As for Pennsylvania becoming a *dependent province on New England*, no mortal can believe this allegation. To look at this hand-bill, one would think that the whole militia of New England were pouring in upon the north-west of Pennsylvania. The settlers are in the strictest sense incorporated with the rest of the state. They will never be driven out of their lands. The expence of law suits would cost more to the claimants than the soil is worth. In the action against Dorrance, a portion of ground was gained of between twenty and thirty acres. The trial lasted for three weeks. The defendants had three lawyers at an hundred guineas each; the charges being defrayed by a general contribution. The prosecutor had six lawyers; and after all the cause is *appealed*. Vanhorne's farm was in whole about an hundred and ninety acres. Perhaps six other law suits with different defendants, will be necessary to clear it. One thousandth part of the business will be completed. It appears such another labyrinth as the Westminster scrutinies of 1784, and 1788. They would each have cost more time than Parliament had to sit, and, as Mr. Horne Tooke says, fifteen hundred thousand pounds sterling. They were both, on that account dropt, as the law suits against the Connecticut people will be. The State thrust itself into the place of the Penns, and should in common justice, have satisfied these claimants, instead of consigning them to an *eternity* of litigation. Connecticut has not, however resigned her claim; nor promised acquiescence in the decree of Trenton.

The circulation of such papers as this hand-bill, aided by the inactivity of government, produced the Western In-

furrection. Hence it is the duty of every man, who has the good of this country at heart, to discountenance all publications of that kind. The Chief Justice of the United States, as being a native of New-England, is also mentioned in the most disrespectful terms.

The design of this performance was to prevent the election of Mr. John Adams, as President. In his *Defence &c.* Vol. I. page 70, Mr. Adams says, " I only contend that the English Constitution is in theory the most stupenduous fabric of human invention, both for the adjustment of the balance and the prevention of its vibrations; and that the Americans ought to be applauded instead of censured, for imitating it as far as they have (*done.*) Not the formation of language, not the whole art of navigation and ship building, does more honor to human understanding, than this system of government."

Mr. Adams has acknowledged his opinions with an honourable frankness. The handbill only charges him with two faults his being a *Monarchist*, and a native of New-England.

Complaints had always been made of the Senate for keeping their doors shut. They were in the present session set open, but in fact the Senate have very little business. All bills for raising revenue must originate in the House of Representatives; and almost every bill of consequence comes from them. From the 4th of March, 1795, downwards, the pay of the Senate rises to seven dollars per day, while that of the Representatives remains at six. The pay of their President is five thousand dollars *per annum*. The Senate, in June, 1794, rejected a bill from the other house, for the reward of those clerks who continued in public offices in Philadelphia, during the Yellow Fever, and for relief to the widows and families of those who died of it. The Representatives had been unanimous. Perhaps Congress might have dispensed with chaplains for one session, and paid their salary to the widows and orphans of the deceased clerks.

At the time of framing the federal government, each of the thirteen states was allowed two senators. Thus Delaware has two voices in the Senate, while its population entitles it only to *one* Representative. Virginia, with but two Senators, has nineteen Representatives, and Pennsylvania thirteen. The difference between the number of their inhabitants and those of Delaware, is encreasing every

day. In twenty or twenty five years, the numbers of the two former will double themselves. The state of Delaware is already almost as crowded as it can expect to be for ages to come. When either of these two larger states has increased considerably beyond its present population, such inequality of senatorial importance never will be endured. No man of common foresight can expect it to be so.

New-York and Rhode-Island afford a contrast like that of Pennsylvania and Delaware. Rhode-Island is at the height of its population; while that of New-York is augmenting with rapidity. The latter contains already about eight or nine times the inhabitants of the former. But it avails nothing for this great state to be adequately represented in one house of Congress, if a diminutive territory like Rhode-Island can match it in the other.

In forming the Federal Constitution, mutual concessions were necessary; and their effects have testified the prudence of the convention which granted them. But when the gradual progress of time has entirely reduced the relative importance of the lesser states, an alteration, or perhaps a dissolution of the Senate will certainly follow. The United States have at present near five millions of people. They double just about once in twenty five years, and thus in less than seventy years, the Union will have thirty millions of persons. Thirty thousand whites are, by the Constitution, allowed *one* Representative. At that period, therefore, the house will consist of near a thousand members. Suppose that the number of States has augmented to thirty, the Senate will then have sixty members. A thousand legislators would hardly suffer the controul of sixty. The two houses have already had some disagreements, such as that on the 6th of June, 1795, about the defence of the South Western Frontier against the Indians. The Representatives wanted to have the President authorized to call out, as occasion might require them, ten thousand militia. The Senate insisted on defending this frontier with a continental regiment of eleven hundred and forty men. The bill was dropt. If the Representatives had then consisted of a thousand members, they would not easily have endured resistance from sixty Senators. These hints shew that, within a century, changes must likely take place in the Federal Constitution. A *thousand* Representatives would only be a legislative mob. In the next Senatorial arrangement, it

is likely that the period of continuance in office will be shortened; and it may surely be hoped that posterity, at least, will suffer no man to fill the chair of legislation, while his constituents have undertaken to prove by legal evidence, that he deserves a very different place.

On the 10th of March, 1796, an attempt was made in the House of Representatives, to sink their character by a comparison with that of the Senate. Mr. Sedgwick speaking of the latter said, "Who, as contemplated by the Constitution, were they? The *most* enlightened and the *most* virtuous of our citizens. What was the source from whence they derived their elevation? From the confidence of the people, and the *free* choice of their electors." (Now, take notice!) "Who were those electors? *Not an ignorant* HERD,* who could be *cajoled, flattered, and deceived*, not even (here he tries to get rid of that unlucky word *herd*) not even the body of *enlightened* American citizens; but their legislators, men to whom the real characters of the candidates would be known." [It is to be wished that Mr. Sedgwick would specify which of his fellow-citizens are the *herd*, and which the *enlightened*. The latter word was most likely inserted next morning, as a *Peccavi*, when the member had cooled, and wrote out his speech for the press] "They did not possess their seats in consequence of influence obtained by *cajoling* and *deceit*," [Such insinuations apply to every member in the house, and every citizen who voted for sending members there. As to the Senate of Congress, there is no probability that they are elected by men more honourable, or acting from better motives than the bulk of citizens. Senators are chosen by the legislature of each respective state; and if corruption is to be sought after, the chances of finding it are as great among members of a legislature as among the mass of citizens. We go on with Mr. Sedgwick.] "practised in *obscure corners*, where the means of detection were *difficult*, if not *impracticable*;" [It is hard to guess what the member meant by *impracticable*? If bribery or bludgeons have gained an illegal majority, such questions come

* This gentleman complained to one of the takers of debates for vulgarizing his style, by the insertion of low phrases, which it was impossible that he (Mr. Sedgwick) ever could have used.

before the very House whom Mr. Sedgwick was addressing. Hence it results that the gentleman considered electioneering justice as inaccessible in the House.] "but they were "selected from *the most conspicuous theatres,*" [The House of Representatives must be the principal one of them.] "where their characters could be viewed under *every aspect,*" [especially when members speak one harangue, and write another essentially different for the newspapers,] "and by "those most capable of distinguishing the true from the "false."* This whole passage contains an undisguised attack on the House and their constituents. The word *herd*, so bountifully bestowed by the member, is an exact echo of Mr. Burke's *Swinish Multitude*. If American citizens desire to be called by such a name, it would be invidious to disturb the tranquillity of their approbation.

There is no exact copy of this speech. Mr. S. Smith has quoted from it one remarkable passage not in the edition of Mr. Bache, and the *ignorant herd* would perhaps have been suppressed, if that gentleman had not also cited and replied to this classical metaphor. "Who are we that we should "attempt to judge over the heads of those *wise men*: We, "who are collected from *the remote corners of the union?*" † The above is the passage omitted. During this session, one of those *wise men* sent a challenge to Mr. Baldwin, of the House of Representatives. Another, who sat in the last Congress, has for several years been a bankrupt of a singular kind. He is proprietor of more land than would form an hundred German principalities. Yet his notes, to the amount of millions of dollars, have been long sold at half their nominal value, and sometimes for much less; while as many tradesmen as could eat a roasted ox at one breakfast have, with their families, been reduced to great difficulty by his non-payment of their bills. The House of Representatives can boast of no such *wise men*. What did Mr. Sedgwick mean by the Representatives being *collected from the remote corners of the union?* Is Philadelphia a remote corner? Was not its representative sitting at his left hand, and the member from this county in the chair just over against him? Both Houses are elected exactly from the same corners, though not by the same individuals. On the first Monday in December, 1797, at *farthest*, Mr. Sedg-

* Bache's Debates, Part I. p. 102.

† Ibid. p. 218.

wick himself is to be one of the *wise men*. He ought to begin as early as possible.

Particular attention is requested to to the following passage in the same speech. The House were debating whether they had a right to call for Jay's correspondence. Mr. Sedgwick went on thus: "A thousand circumstances of foreign relations would occur in the history of any country, under which nothing short of *unlimited powers* of negotiation would be adequate to a prevention of enormous, perhaps ruinous evils. But it might be objected, that a power so enormous, and comprehending such essential interests, might be abused, and thence he asked, where is the remedy? To this he answered, that a national association required, for the great purpose of preservation, an UNLIMITED confidence on many subjects. Hence, not only this, but perhaps every other national government, had delegated to it an UNLIMITED CONTROL over the persons and property of the nation. It might, by the express power given to it of raising armies, convert every citizen into a soldier, and by a single assessment of a tax, it might command the use of all the property in the country. The power to raise armies and taxes was limited in its exercise, by nothing but the discretion of the legislature, under the direction of its prudence, wisdom and virtue."

Mr. Sedgwick, in the first part of this quotation, thinks that *unlimited powers* should frequently be granted to an ambassador. This may be dangerous. Were he sent to the Court of London, with such powers, it is highly probable that he would sell his country. The British would have a much better chance of buying him than President Reed; because, at a distance from home, he could accept a bribe without risk of detection. Fifty or an hundred thousand guineas would be no object when compared with a favourable treaty. Burnet, in his history, says, that "the whigs set every thing to sale." He complained of the practice of bribing parliament to King William, and the latter assured him, that *it was not possible to help it*. Now, in a court where every other commodity is bought and sold, the conscience of an American ambassador cannot, if it be vendible, want a purchaser. It would thence be highly imprudent to give him an *unlimited commission*.

Unlimited confidence to government, on many subjects, is next affirmed to be necessary. It is never so. It is never even expedient. Mr. Baldwin made some excellent remarks on the general advantage of publicity in national business*. *Confidence* is the cant word of a British minister, and a cloak for all sorts of corruption. Jay, if *unlimited*, might have stipulated, that a British garrison were to mount guard at Mud Island. But by far the worst part of the speech is yet to come. We are told that government has *an unlimited controul over our persons and property, might convert every citizen into a soldier, and by a single assessment, seize the whole property of the country.* Our only refuge is in the *prudence, wisdom, and virtue* of an hundred and thirty-seven men, whom the gentleman calls *Government*. Thus we come directly back to the Roman Decemvirate. Such doctrines are too despotic for the darkest cell of the inquisition. The only use or meaning of the federal constitution was to limit the operations of Congress and of the President. Can government grant titles of nobility? No. Can they lay a tax or duty on articles *exported* from any state? No. Can they pass an *ex post facto* law? No. Can they lay a tax of more than ten dollars on the importation of an emigrant? No. Can they grant privileges to the port of New York beyond that of Boston or Norfolk, or any other? No. [Something of this sort has got into the British treaty, of which we shall hear farther in its proper place.] Can government impose a greater excise on one state than on every other? No. Can they compel a Quaker to take a judicial oath, or to shoulder a musket? No. Can they inflict *unusual* punishments? Can they, for instance, break a man on the wheel; or, like the British government, fix his head on an iron spike, and direct the hangman to cut out his heart and dash it in his face? No. For the constitution says, that "*cruel and unusual* punishments shall not "be inflicted." Can they impose a capitation tax, unless in consequence of, and in proportion to a census? No. As to the *universal army*, the power of making every man a soldier; the constitution says No. Could government have ordered the judges of the federal court to march out as privates in the western expedition? No. Were they to send a message over the way to the attorney-general of

* Bache, Part I, p. 13.

Pennsylvania, Mr. Ingersoll, requiring him to accept the command of Fort Recovery, would that gentleman obey their orders? No. Could they punish him for refusal? No. Could they force one of the door-keepers of Congress, or any person whatever to enter even into the militia, if he chose to pay his fine? No. An effort of that kind would require something quite different from *an arbitrary mandate* of government. Can the *present* government pass a law on the 4th of March, 1797? No. Can they force us to pay a parson for preaching sermons which nobody chuses to hear? No. Can they punish their fellow-citizens for disbelieving imposture, and laughing at nonsense? No. Can the captains of our formidable navy, if it shall ever be launched, impress an American seaman? No. In a word, the Federal Constitution rises in one universal and indignant negative to the doctrines of Mr. Sedgwick. Nor are they new, for he broached some things of the same stamp about three years ago, in discussing the sugar and snuff excise act; and which were taken down at the time, and printed in the Philadelphia Gazette. This act itself shews that our legislators can go far enough in all conscience, without overleaping the rails of the constitution. Hannibal at the gates of Rome was never half so terrible as American excise at the gates of a snuff-mill.

This creed of Mr. Sedgwick is the doctrine held out by Dr. Johnson, in his *Taxation no Tyranny*, a pamphlet attacking the American revolution. Let us compare the two writers. "In sovereignty," says Johnson, "there can be no gradations. There may be limited royalty; there may be limited consulship; but there can be no limited government. There must in every society be some power or other from which there is *no appeal*, which admits *no restrictions*, which pervades the whole mass of the community, regulates and adjusts all subordination, enacts laws or repeals them, extends or contracts privileges, *exempt itself from question or controul*, and bounded only by physical necessity."

In opposition to Mr. Sedgwick and Dr. Johnson, to the member of Congress, and the man who called the first Congress *rebels*, we find a proper antagonist in Mr. Paine. Indulgence is entreated for the length of these quotations; they will probe to the bottom of Mr. Sedgwick's principles. In *Rights of Man*, Part I. the writer gives a full and

accurate definition of what a constitution is, and concludes thus: "A constitution, therefore, is to a government, what the laws made afterwards by that government are to a court of judicature. The court of judicature does not make the laws, neither can it alter them; it only acts in conformity to the laws made: and the government is in like manner governed by the constitution.

In Part II. Chap. IV. Mr. Paine goes over the same ground. "The laws which are enacted by governments, controul men only as individuals, but the nation, through its constitution, CONTROLS THE WHOLE GOVERNMENT, and has a natural ability so to do. The final controuling power, therefore, and the original constituting power, are one and the same power. Dr. Johnson could not have advanced such a position [that above quoted] in any country where there was a constitution; and he is himself an evidence, that no such thing as a constitution exists in England."

Such a position has, we see, been advanced in America, and even in Congress. Blackstone, in his Commentaries, has a passage defining the powers of parliament. Another quotation might be tiresome, but the substance of his doctrine is, that parliament has prerogatives unlimited, above controul, and omnipotent. In the trial between Vanhorne and Dorrance, Judge Paterfon, when charging the jury, read the passage in Blackstone here referred to. He read it to prove that in England there can be no such thing as a constitution. He demonstrated that an unlimited power in government was irreconcilable with the very being of a constitution. For a people under such uncontrollable government to speak of their having a constitution was a contradiction in terms. It served only to shew that they were unacquainted with the meaning of the word. In short, the judge agreed as precisely with Mr. Paine in his doctrine, as Mr. Sedgwick agrees with Johnson and Blackstone. The charge has been printed, and the curious may consult it. To speak of the highly respectable character of Mr. Paterfon would be unnecessary. He was long governor of New Jersey. He resigned that situation to accept a seat on the bench of the Supreme Court of the United States. He and Mr. Paine stand in the closest conjunction with each other, and in the direcest opposition to Mr. Sedgwick and the two English writers. The American constitution itself

in every sentence, revolts against the doctrine of the representative.

CHAPTER V.

Farther remarks on the American Constitution. Not as alleged a Government of discretion. Senatorial Anecdotes. Marshall. Gunn. Rutherford. Extraordinary doctrine of partitioning the United States. Rufus King. Scheme of a Standing Army. Ruinous effects of such an establishment. Enormous rate of interest in Philadelphia, Folly of unlimited confidence in the Senate. Commutation Act for Invalid Officers. Objections to it. What Congress should have done. Sketch of the public services of Mr. S. Dexter. His incivility to Representatives from the Southern States. His Amendment to the Naturalization Bill. Mr. Hillhouse versus Emigrants. Congressional linen conveyed by post. Scanty payment of Clerks in public offices. Anecdotes of the British House of Commons. Privileges of the House of Representatives. Their dangerous tendency. A peep at St. Stephen's Chapel.

THE principles advanced by Mr. Sedgwick in the speech last quoted, contain so much novelty, and the member by whom they were delivered bears such weight in Congress, that the subject merits further explanation.

One of the doctrines given as indisputable is, that government can force every man to be a soldier. The constitution in Article I. Section VIII. says, that "Congress shall have power to raise and support armies; and to provide and maintain a navy." A few words are added as to calling forth the militia, if necessary. But if government can oblige every man to enlist, then it is as absolute as the antient kings of England. When a man refused to lend or give his money, they sometimes charged him with a message to the distance of two or three hundred miles, or perhaps he was put into the ranks as a common soldier. Thus persons of property were frequently harassed into the payment of large sums. The federal government may as well send any citizen whom they chuse to man a navy as an army. Even a press gang on the river Thames take up none but seafaring people and reputed vagabonds. By this new doctrine as to

enlistment, no man could be secure of attending to his own business for a single day. The power of seizing the whole property in the United States by a single assessment is another principle alleged as deducible from the constitution. This would indeed be what the gentleman calls a government of *discretion*. He gives but a poor comfort by adding, that "the interests of the rulers were *inseparably* connected with those of the people; that they could impose no burdens in which they themselves *did not equally participate*." A legislature has often laid on a tax, and shared three-fourths of its amount among themselves and their dependants. The burden to each citizen is perhaps two guineas per annum, which the member pays indeed along with other people; but then his share of the spoil comes to an hundred or perhaps a thousand times that amount. This is not an *equal participation of burdens*. The gentleman again repeats his doctrine, that "such powers (*viz.* of government) must always be *unlimited*;" but in the end he says, that, if "*intolerable* burdens were wantonly imposed, if necessary to defeat oppression, opposition and *insurrection*" would become a duty." *Remonstrance* would be the first duty; and if strongly supported by the public voice, it would prove successful, unless government had a powerful standing army. An instance occurred at this very crisis. A large majority of the House of Representatives condemned the British treaty, and they would have defeated its execution. All at once the public opinion arose in its favour; and the representatives by slow degrees, and with much reluctance, receded from their point.

Again, Mr. Sedgwick says, that "the right of *resistance*" resulted not from the constitution itself, for it had declared "*no such right*. No constitution could declare it."* He refers the right to original principles. But this Constitution has declared both the *right of resistance*, and the mode of exercising it. The President, Vice-President, and all civil officers of government, are to be removed from office on impeachment *followed by conviction*. The right of impeachment appears open to every citizen. This right affords a wide door to resistance. Suppose a president by message recommending to the representatives to bring in a bill for an assessment that would comprehend one half of

* Bache, Part I. p. 101.

the property in the country, or for impressing all the quakers in America, and sending them to serve on board of a navy. He would most likely be stopped by an impeachment, before the bill, by passing into a law, could become an act of government. In the same way, any public officer might be stoppt in the career of usurpation without so desperate a resource as insurrection. He could be effectually checked by a method pointed out in the Constitution. The boundaries of the authority of each branch of government are defined as exactly as the framers of the Constitution knew how to do it. This was a sufficient precaution. At the end of every clause the Convention might have subjoined a threat of *Insurrection*, in case it was violated; the additions would have been absurd, but nothing was more easy than to insert them. As for this remedy of a revolt, the idea is by Mr. Paine more suitably couched under the hint of a *natural ability* to controul. The limits so anxiously prescribed in the Constitution to each of the three branches of Government, shew clearly that the design of the Convention was to limit the powers of the whole collectively. The right of impeachment goes as far as decorum would permit in expressing the doctrine of resistance. Yet Mr. Sedgwick imagines that government has no limits to its power, and that the people have no *legal* mode of resisting it. The American Constitution stands right over against him. The two antagonists do not make even the approaches of common civility. They give to each other *the negative direct*. If the Constitution was not to limit the exercise of government, there could be no use for making it.

One of the resources of the people, in case of oppression, is, by Mr. Sedgwick, traced to the President. "Was there no dependence to be placed on the President? the man elected by a *refined process*, pre-eminent in fame and virtue, as in rank?" This query does not refer to General Washington, but to Presidents in the mass; and history will warrant a supposition that out of the next ten in the United States, six, or most likely nine, will be no better than they should be. As for the *refined process*, it is hard to say what superior refinement has been discovered in the election of November, 1796. Each party employed all the usual methods of gaining a majority in the choice of electors. For instance, the hand bill against Mr. Adams,

which has been already quoted, does not display much delicacy. The writer evidently looked upon those for whom he designed it, as grossly ignorant and prejudiced, and as capable of digesting any sort of affirmation. The imprudence of employing such a style was equal to its illiberality. In the Luzerne Gazette of the 1st of November, 1796, an answer appeared to this trash, which placed it in a proper light. "In my opinion," says the remarker, "the address under consideration, is a *libel* against the New-England States, an indecent *attack* upon the citizens of this county, and a gross *insult* to the understanding of the free-men of Pennsylvania." In Luzerne the returns were eight for the Jefferson ticket, and four hundred and seven for that of Mr. Adams. The handbill was of itself sufficient for ensuring such a reception. The superior importance annexed to the choice of a President, the greatness of his salary, and the augmenting patronage of his office, will make each party far more active in canvassing for his electors than for a seat in Congress. Instead of the process being more refined than that of common elections, it has every chance of being much less so.

The violent and exclusive panegyric bestowed by Mr. Sedgwick on the Senate, does not exactly coincide with an examination of particular facts. Humphry Marshall is one of the Senators from Kentucky. Above a year ago, two judges of that State published a signed advertisement in the newspapers, wherein they engaged to prove him guilty of perjury, if he chose to bring an action against them for a libel. His acceptance of this challenge has not yet been communicated to the public. The case of James Gunn, a Senator from Georgia, is likewise somewhat singular. The House of Representatives of that State, by a minute dated the 19th of February, 1796, and printed in the newspapers, charged him with an attempt to corrupt sundry members of the Georgian legislature, for a scheme of land jobbing. Their allegation is founded on three depositions also printed, and their attorney general is directed to prosecute him. The house say that James Gunn attended the Assembly of Georgia, during a whole session, when he should have been in Congress. Thus a Congressional Senator may with impunity quit his seat for any length of time that he judges convenient. Other circumstances of a less serious nature may be adduced to prove

that Senators are not absolutely infallible. Sir John Temple, British Vice-Consul at New-York, came under suspicion as the author of a publication hostile to the character of John Rutherford, a Senator from New-Jersey. On the 4th of November, 1796, a cudgelling took place in Cortland street, New-York. The news-papers say that the Senator was but about thirty years of age, and the Vice-Consul about seventy; that the former had a bludgeon and the latter only a small horse whip; that the Vice-Consul, knocked his antagonist down, and gave him a hearty drubbing. It is added, that the Senator had travelled from Sussex County, in New-Jersey, to chastise the Vice-Consul.

One frequent objection to the Senate was, that till the session under review, they constantly kept their doors shut. This practice has not been borrowed from the British Peers, who let theirs stand open. In 1740, the Earl of Chesterfield spoke in that Assembly as follows. "By excluding strangers, when you have nothing of a secret nature under consideration, you will only raise a jealousy of the dignity of your proceedings."* Debates have occurred in the Senate of Congress which made it expedient enough to exclude strangers. Were a British Peer to propose in Parliament the cession of Wales or Yorkshire to some foreign nation, were he to affirm that the legislature are entitled to give away *by treaty* one half of the British empire, he would run some hazard of being torn to pieces on the streets of London. "In the course of the *Senatorial* debate (respecting Jay's treaty) the right of ceding by treaty a whole State, nay, any number of the States, *short of a majority*, was boldly asserted and strenuously argued."† It would certainly be improper to give such legislators the *unlimited confidence* above recommended. Already, they think themselves authorized to give away by treaty seven States out of the sixteen to Spain, or England, or the Dey of Algiers. Thus the Constitution and Independence of America have become an appendage to the power of making treaties lodged in the Senate and President. The piece last quoted came from the pen of Mr. Alexander Dallas, Secretary to the State of Pennsylvania. His access to information cannot be doubted, and the charge has not been denied.

* Burgh, Book 4th Chap. 6.

† Features of Mr. Jay's Treaty, section 8.

One could wish to know the names of those aspiring legislators, and the detail of their bold assertions and strenuous arguments. They certainly belonged to the majority of twenty, who voted for the ratification of John Jay's treaty. Mr. Mason incurred very great blame from some people, for breaking the Senatorial injunction of secrecy, by sending a copy of this instrument to the Aurora. Before that happened, Rufus King, a Senator, had shewed it to the British Ambassador.* Thus it was a crime to tell the people of America the secret previously entrusted to the agent of their mortal enemy. Mr. King hath since been appointed Ambassador to the Court of England. A more complaisant choice could not have been made. His dislike to France was well known. In summer 1793, John Jay and he signed and published a tittle-tattle card against Citizen Genet. This piece announced a superior degree of stile and understanding that justly pointed them out as envoys to Britain. Rufus King can remove one eye-fore. The Court of London had conceived that Americans were a free people; this was a bad precedent. Our Ambassador, on the authority of his friend Mr. Sedgwick, may assure Pitt and Grenville that the United States are under a government of *discretion*, which, by a single assessment, can seize upon every blade of grass, and every ear of corn on the continent. From himself, Mr. King may add that the United States can be pared or cut to pieces by the Senate and President, with the exactness and tranquillity of a grocer cutting a pound of cheese. In exchange for one good article in a commercial treaty, you shall have Massachusetts, New-York for a second, and Pennsylvania for a third. Such authority has been lodged by the Constitution in these two branches of government, and yet their friend below stairs complains of the *limited* confidence with which they are vested.

A keystone is yet wanting to complete the arch of arbitrary power. The parties aggrieved perceive and lament the chasm. Their attempts to supply it, though hitherto crushed, ought not to be forgotten. On the 12th of March, 1794, a motion was made in the House of Representatives for adding fifteen thousand men to the military establishment. On the 1st of April, 1794, a bill was brought in for

* Randolph, p. 29.

adding twenty five thousand men. On the 19th of May, 1794, the bill was discussed, and the twenty five thousand, along with fifteen thousand, and ten thousand were successively proposed and rejected. Mr. Sedgwick was one of the leaders in this plan. A bill passed in the Senate for ten thousand men, but on the 30th of May, 1794, it was rejected by the Representatives. The regiment of eleven hundred and forty men, already referred to, was then proposed by the Senate, and refused by the Representatives. Mr. Giles expressed his extreme surprise at such perseverance on the part of the Senate in an idea so highly offensive to the majority of the representatives. Proteus, he said, had never assumed a greater variety of shapes than this attempt for a standing army. The people of the United States did not wish to be trode down by a standing army. Since this discussion two years and an half have elapsed; and the intervening series of events has justified the negative to an additional establishment of twenty five thousand regular troops. There has indeed been an insurrection, in the fall of 1794, in the four Western Counties of Pennsylvania. But that was suppressed without opposition, by fifteen thousand militia; and it never could have existed in any shape, unless fostered by the negligence, or, as many believe, by the deliberate design of Alexander Hamilton. It would be found difficult to pay these twenty five thousand regulars. Several of the militia who went out on the Western Expedition, have not yet received their arrears, and the whole expence of that affair is but a trifle to what so great a body of regulars would have cost. If a person is unable to discharge a debt of six pence, he can still less refund five guineas. A summary of plain facts will demonstrate that this comparison is not overdrawn; and that the cost of maintaining such a body of troops in time of peace would endanger the existence of the Union.

The wages of the labour of twenty five thousand work men, at a dollar per day, comes to an hundred and fifty thousand dollars a week, or seven millions and eight hundred thousand dollars per annum. On the 12th of February, 1795, the Representatives discussed a bill for a select corps of militia, and, on that occasion, Mr. Sedgwick stated a dollar per day as lost to the public by the absence of each man from labour. The abstraction of twenty five thousand

hands from labour would give a fatal stroke to the infant manufactures of America. Viewed in that light, this project forms a *corps de reserve* to the excise upon Sugar and Snuff. Few tradesmen in America, who attend closely to their business, are able to overtake the whole of it in satisfactory time. An English gentleman, who bought a farm some years ago, within twenty miles of Philadelphia, said that when he first came to the country he was surprised to see several of his neighbours in such extreme want of assistance from a shoemaker. At last he found it owing not to inability of buying shoes, but to the difficulty of getting a person to make them. Break the key of your desk, and get an American smith to mend it. You find it cheaper to buy a new lock and key from England. Wages to servants and journeymen of all kinds are, through many states of the Union, higher than in any part of Europe, and after all, hands are sometimes not to be had. The journeyman carpenter, on whose aid his employer depended for the supply of customers, bolts off without warning to Kentucky or St. Domingo, or the Federal City, or sets up a tavern, a stage coach, or a billiard table; or determines to live like a gentleman till his last cent is expended. Before his successor can be found a month elapses. In many parts of the country this case frequently happens. Under such circumstances, to take twenty five thousand men from the chissel and the plough, unless urged by positive necessity, would be highly absurd. It would tend directly to destroy the resources from which alone a standing army could expect to be paid. In Britain, at the beginning of a war, the public are often glad at the raising of new regiments, as taking off idle or disorderly people. But here the demand for labour is so great, that the least industrious man is generally thought worth his room. These observations point out the *negative* expence of this scheme, that part of it arising from the diminution of the quantity of labour. This would in a single year quadruple the whole charges of the Western Expedition. We now come to the *positive* expence, or, the amount of money which must be actually raised and laid out on such a plan.

In the debate last referred to, Mr. Sedgwick read an estimate of the expence of fitting out a select corps of militia. The arms and accoutrements would cost ten dollars per man; his clothes, by which was only meant a coat,

required twelve dollars. His rations for four days were to cost two dollars, or half a dollar per day. Mr. S. Smith in reply observed that the arms would cost nothing, as they were to be had from the repositories of the United States. Confine the outset charges, therefore, to clothes and bounty money. The former could hardly be less than forty dollars. In one of the bills proposed about this standing army by the Senate twenty dollars per man was allowed for bounty money. Thus each man would cost in advance sixty dollars, which on the whole twenty five thousand comes to fifteen hundred thousand dollars, and adding the price of horses, with a multitude of incidents and jobs, this army would require between two and three millions of dollars, at its outset. The rations and pay could not, in whole, be less than a dollar per day. At seven days in the week, or three hundred and sixty five dollars per annum for each man, the total pay of the privates is nine millions one hundred and twenty five thousand dollars a year. The additional pay to officers, surgeons, chaplains, the death of horses, the waste of gunpowder, and repairs of all kinds could not make the entire annual charge less than twelve millions of dollars. This sum added to the wages of these people, computed, as before, at seven millions and eight hundred thousand dollars, would make the real expence twenty millions of dollars per annum, of which twelve millions must have been paid out in ready cash. The latter would, in six years only, clear off the whole public debt; but the money could not be found. Had taxes or loans for so vast an additional burden been imposed in May, 1794, the Western Insurrection that ensued would have been but the smallest of public misfortunes. Annual taxes to the extent of twelve millions could not have been raised; but the bare attempt to realize them must have filled the continent with confusion and distress. An annual loan to that amount would have extinguished public credit; and then the federal machine must have stood still, or rather tumbled to pieces.

Besides the principal sum expended, observe the march of compound interest, at three, four, or five per cent. per month, or perhaps of two and an half per cent. per day, for in October, 1796, the latter premium was offered in Phi-

Philadelphia by some enterprising traders*. Such is our situation without that standing army. Its establishment would have made matters an hundred times worse. For escaping this plan, so ardently pressed by the Senate, and by some gentlemen in the other House, the nation is indebted to the superior good sense of a majority of the representatives. The former thrust the constitution to the edge of a precipice. The latter conducted it back again. In time of actual war, the citizens of America will, if necessary, submit to the greatest burden. Their history has evinced that they will do so. But when the nation is at peace, it has too much spirit to endure such impositions under any pretence whatever.

This explanation of the obvious effects of a standing army affords of itself good reason why the Senate ought not to receive *unlimited* confidence, and shews that they do not enjoy any superior portion of wisdom. Certainly the gentleman from Massachusetts had not, when he delivered this encomium, any presage of his own approaching elevation to the upper story. If this prospect was the motive, his anticipated *Ipsè pinxit* does honour to his taste. The *Si mea cura* of Tacitus, and the famed *Ho Xenophos Athenaios* † fade from a comparison. His theoretical principles of government are, as above examined, in opposition to the spirit of the American constitution. But in protection of Charles Whitney, we have seen him its steady defender against the representatives, when perpetrating an arbitrary imprisonment. In the very last stage of this business, when supported almost only by Mr. W. Smith and Mr. Murray, he afforded the House an opportunity to atone for part of its injustice by placing on the journals Mr. Pepoon's exculpatory evidence. Mr. Sedgwick failed in his attempt, but he deserved great thanks from his fellow-citizens for making it.

In England, no minister ever thought of a military augmentation of twenty-five thousand men, unless when the State was on the brink of a foreign war. But indeed no English statesman ever conceived, like some American se-

* This fact is here advanced on the best authority.

† In the *Anabasis*, the writer introduces himself thus: "Now, there was in the army of Cyrus, one Xenophon, an Athenian."

nators, that he had a right to partition his native country. A difference in ultimate views may account for a difference in previous measures. The army of Cromwell was the first which, during peace, England ever saw. Before his time, the sovereigns "maintained no standing forces, and neither had guards to attend them in their progress, nor to stand as centinels at their gates."* At the accession of Charles the Second, the country had, for twenty years, been in a state of revolt and anarchy, and was then full of sectaries and malcontents of all denominations. Yet only a small body of troops for guards and garrisons was kept up. Their numbers varied from four to eight thousand men. They excited so much jealousy that in 1679, the Commons by a vote declared their establishment contrary to law. Britain, when as full of combustibles as a bomb-shell, was kept in peace by six or eight thousand men. But in the United States, the people are about as happy as prosperity can make them; and as well satisfied as the levity of human nature will permit. Their government, like every thing of the kind, has faults, and these are often very freely pointed out; but this has no connection with resistance or rebellion. Excepting Wayne's handful of men, the whole armed force of the country is lodged in a militia, by whom the constitution is admired, and the President adored. Congress is full of veteran officers. You may travel five hundred miles without meeting a beggar. It is impossible either to see motives or materials for insurrection. The western mob did not, upon enquiry, deserve that name. There is very strong reason for thinking that Alexander Hamilton purposely neglected its outset, that he might have the honour of crushing its maturity. Such being the happy state of public affairs, an additional standing army, if it had not been to cost a shilling, was positively useless. The motives of the American Senate are inexplicable. In April, 1794, John Jay had received his water-gruel mission to England, and some of the Senators must have well known, that all chance of hostility on that quarter was at an end. Great anxiety has been expressed for discharge of the public debt. A desire of adding wantonly twenty millions of dollars per annum to the

* History of the Public Revenue of the British Empire, by Sir John Sinclair, Part I. Chap. 1X.

public burdens would rather seem to betray a systematic design to increase and rivet that calamity.

Before Congress raise new armies, they should be sure of making honourable provision for the present race of invalids. On the 2d of February, 1795, a law past supplementary to one dated the 28th of February, 1793, regulating the payment of pensions to invalids. The first section directs that the pension shall be computed to commence from the time that the invalid, in obedience to the former act, shall complete his testimony before the district judge or commissioners as therein specified. No claim for antecedent arrears can be admitted. The second section should be got by heart by every person who intends hereafter to fight the battles of America. It runs thus: "And be it further enacted, that no commissioned officer, who has received commutation of half-pay, shall be paid a pension as an invalid, *until he shall return his commutation into the Treasury of the United States*; except where special provision has been made, in particular cases, for allowing pensions *on the return only of certain portions of the commutation.*"

Imagine that an old officer was entitled to a pension of sixty pounds as half-pay, for serving in the army during eight years, for performing five winter campaigns without shoes, and five in summer without a shirt. At Long Island, he ran up to the neck in a morass, and fasted for three days after the defeat of Guildford. At Whitemarsh, he was almost frozen to death in a hut; and fainted under the rays of the sun at the battle of Monmouth. At Germantown, he was shot through the shoulder blade; and his skull was trepanned at Saratoga. His wooden leg reminds him of the surrender at York town. The burning of his house and barn, the beggary of his wife and children, and an inveterate palsy or rheumatism, seem to have closed the circle of his exertions and his sufferings. The government, as insolvent as himself, could not pay this annuity of sixty pounds, but six years ago, he received perhaps a commutation of three hundred, or some such sum. He has expended this money on the education of his family, or the purchase of a farm; or has lost it in trade by the burning of a store, the sinking of a ship, the finesse of a land-jobber, or the bankruptcy of a senator. Hearing that half-pay is to be had, and being not master of a shilling, he calls at the treasury office to seek his money. Instead of receiving it,

the Secretary asks him for three hundred pounds in advance, and subjoins that, six months after making this payment, he shall in return receive thirty pounds. We must observe the words of the law. He *shall* return his commutation, before he touches a dollar. The man is not worth a dollar; and the door is shut against his receiving half-pay, because he is unlucky and poor. The door is shut for the very reason for which it ought to stand open. The framers of this law were well aware that multitudes never could comply with the second section, because they had not one cent to spare in advance. In all likelihood *this* was the reason for which *some* of our legislators inserted that clause. The anecdote which follows will explain what is here meant. Just before this bill went through the House of Representatives, Colonel Maxwell, a land surveyor from Vermont, came to Philadelphia to solicit half-pay. He was desperately wounded at Bunker's hill, served through the whole war, or nearly so, and has in every situation sustained a respectable character. His health was broken by the service. He is now on the downhill of life, and has begun to be unfortunate. On his arrival he waited on one of the representatives to explain and enforce his request. *We want to get rid of you all as easily as we can*, were words that escaped through a chink in the conversation. Thus a farmer speaks of a superannuated horse. It would be unfair, perhaps, to publish the name of this individual member, because the House, by passing the section above recited, generously took the burden from his shoulders, and placed it on their own. An officer in the late American army, who resides in Philadelphia, was present with the author when Colonel Maxwell told the story. It is pleasant, says the proverb, to die for your country. True. But it is not agreeable to starve or beg for any country. It is yet less flattering to be slighted by persons whose sculls, but for the bravery of such men as Colonel Maxwell, would have been picked by the crows, and have stuck, at this day, on the spikes of Temple-bar.

But admit that the invalid has money, or sells his plantation to raise it, and comes to Philadelphia. He pays the price of his farm into the treasury, and as he is old and infirm, dies on the road going home. His annuity dies with him, and his family are reduced to want by the farcical benevolence of this law, while the United States pocket

three hundred pounds by pretending to grant a pension. Thus government becomes a jobber in annuities. If relief had been honestly intended, and if the state of public finances required, before giving a pension, that the commutation should be returned, there was a ready way to prevent all murmurs and all injustice. "Your annuity," says the legislature, "commences on a day specified. But it must be detained to repay the commutation that you have already got. Three hundred pounds will be cleared off by a pension of sixty, in five years. At the end of that time, your actual salary will begin to run. It might run from this day, by your advancing the three hundred pounds; but we do not wish to handle your money, or traffic in the price of a veteran's blood. Go home, and when the commutation has been liquidated, the salary shall be thankfully transmitted. Your class of citizens is the very last on the continent whom we shall venture to neglect. In the course of human affairs, we must soon want a second army; and we cannot expect to get one, if we defraud or disregard the services of the first. It is true that our administration has some little flaws. We have sent to New-Jersey for a lawyer* to be director of the mint, with a salary of two thousand dollars. He is an able counsellor, was long an useful member of Congress, and pointed out several abuses of the institution; but he cannot be expected to understand mineralogy. We have sent thirty miles to Wilmington, for a physician to be treasurer of the mint, with a pension of twelve hundred dollars. He has extensive practice in his own profession in Philadelphia, and our bounty enables him to save the earnings of his industry. On the same plan, we have bespoke a haberdasher to be our engraver, a dancing master for our assayer, and a bishop as chief *coiner*. You have no doubt, in common with the rest of your fellow citizens, given a *Sardinian smile* at our paying for the officers of a non-existing navy, and for chaplains of whom we are most heartily tired. But these are only motes in the sun of our legislative progress. Compared to the faults of an old government, to that of the happy Canton of Berne, our peccadillos are but like the scratch of a pin to the gash of a battle axe. When a newspaper tells you that there is in Congress a

* Mr. Bondinot.

“ conspiracy to destroy the constitution, and that one half of
 “ your Representatives are pensioned by a foreign enemy,
 “ believe not one word of it; for though we dispute and
 “ wrangle, and of late have begun to give hard names*,
 “ we all do the best that we can for the service of our con-
 “ stituents. At an heart-rending expence of time, patience
 “ and wages, we debated for three weeks, on the meaning
 “ of three very plain lines in the Constitution. Such is our
 “ microscopic fidelity to the duties of our station! But we
 “ are so often in the right that we must be sometimes in the
 “ wrong.”

If it was proper that the commutation should be refunded, and this might be the case, it ought to have been deducted from the pension granted. This would be a more decent way of refusing relief. It is termed *refusing*, because persons intimately acquainted with the question aver that, in many instances, the commutation already received is much more valuable than any pension which can be expected. To propose getting back the commutation, and then paying something less valuable is worse than refusing a pension. When this bill had gone without opposition, through the house of Representatives, some remarks on it were published in the Aurora of the 29th of January, 1795, from the vain hope that it would be sent back by the Senate, with the salutary amendment of striking out the second section, or, that the President at least, as being himself an old soldier, would refuse his subscription.

It has been stated that gentlemen sometimes write out their speeches for the newspapers. In spring, 1794, Mr. Samuel Dexter digressed in one of his harangues, to ridicule members who adopted this practice. When a legislator has delivered his sentiments in a public body, there is no harm in his wishing to see them correctly printed. It is a mark of respect to his constituents, and to the public. The readers of newspapers are, in the last resort, the masters of America. They compose a body of citizens too numerous to be resisted, and too intelligent to be despised. The practice has been common enough in the British Parliament. It is said of John Wilkes that he was once delivering his sentiments with great boldness in the House of Commons, when he was enjoined to sit down. “ I must go on,” said he, “ for

* *Infra.* Chap. VII.

“ Woodfall has got it all printed two days ago.” In the old provincial Assemblies, and in the present Assembly of Pennsylvania, the practice has been always common. The speech of a President, or governor, is constantly printed, and that of a Representative is often as deserving of notice. It is common for some Representatives in Congress to write out their speeches for the press, and no gentleman affects to make a secret of having done so. The harangue of Mr. Samuel Dexter conveyed, therefore, an express insult on many of the most useful members in the house. But last and worst, this gentleman himself was in the habit of casually writing out his remarks for publication. During that very session, he extended several speeches for the Gazette of the United States, and one if not more for the Philadelphia Gazette. With an undaunted front he stood up and ridiculed a measure innocent in itself, and which his audience knew that he practised. “ It is time to take enormity by the forehead and brand it.”* For the first session of the third Congress, that body did not contain even *one* speaker who had any resemblance to this Representative of Boston. In the second session, a gentleman from one of the Southern States did afford something like him. When the house had been perfectly tired of speaking, and were just ready for a vote, Mr. Dexter would often stand up and detain them for half an hour or an hour together; while in the mean time indifference was visible in every face on the floor. It seemed his pastime to tire out the patience of his audience; and his enjoyment reached its zenith, when the late worthy Mr. Abraham Clark of New-Jersey betrayed tacit symptoms of disgust or derision. In a British House of Commons, such an orator would be rapped into silence with the butt end of an hundred canes. Mr. Dexter possessed a steady ill-nature which did not correspond with the apparent frivolity of his mind. Of this an instance may be given in his behaviour to Mr. Niles of Vermont, an inoffensive and decent gentleman, who was old enough to have been his grandfather. About the end of the first session of the third Congress, Mr. Niles uplifted his salary for some days in advance. He set out for Vermont a day or two before the rising of the House, and just as long before the time was expired for which he had received his salary. This

* Ben Johnson.

oversight might be excused from the plea of age and want of memory. On the day when the House rose, the 9th of June, 1794, Mr. Dexter wanted to make a motion about this trifle, in a general stile indeed, but pointing with sufficient clearness at Mr. Niles. Somebody of more discretion than himself kept him from rising. But the malevolence of party was not yet gratified. The precious information was taken home to New-England, and circulated in the newspapers to injure Mr. Niles at the ensuing election for the fourth Congress*. In the second session of the third Congress, which sat down on the 3d of November, 1794, Mr. Dexter absented himself for several days together, while attending in the Federal Court, on the cause of Mr. John Nicholson. His pleadings on that occasion stand printed in the State trials of Pennsylvania, and ascertain the accuracy of this allegation. It is true that, in the session here described, Mr. Sitgreaves, one of the members for Pennsylvania, was absent for a few days on leave, to attend some country courts. But then he openly asked permission from the House, urged his reasons, and did not, for the time when he was absent, uplift any salary. On the contrary, Mr. Dexter used to come into the House a little before three o'clock, and it is now stated on the best authority, that he received payment for those very days for which he was likewise feed by Mr. Nicholson. This instance of meanness and selfishness has not, it is believed, a precedent in the annals of Congress, and it is here held up as a warning to the public in general. This was the person who wanted to ridicule and injure an old gentleman for a trifling mistake about six or twelve dollars.

Mr. Dexter was fertile in that sort of eloquence which struts round about the heart without ever once touching it. In the debates on the first Snuff excise bill, in spring 1794, he wantonly told Mr. Smilie and Mr. Nicholas that their fears for the Constitution from the introduction of excise were like *Salecoats*, fitted for every other subject as well as excise. In taking some notes of his speech for the Philadelphia Gazette, this vulgarism, with other materials equally unimportant, was omitted. Two days after, Mr. Dexter came to Mr. Brown's printing office in agitation at the brevity of

* These particulars have been communicated by a member of the House.

the sketch. The editor, solicitous to oblige members, whenever it was practicable, desired him to write out his observations, and they should be published. This was actually done, and the *Salecoats* made their appearance. The world is left to judge what ceremony such an orator deserves.

In the ensuing winter, Mr. Dexter overset his popularity by the part which he took in a debate on the naturalization bill. The affair is interesting; it made at the time a great noise; and the imprudence of Mr. Dexter might have been a means of involving this country in a civil war. It is proper to hold up his conduct as a warning to others. On the 1st of January, 1795, Mr. Giles moved, as an amendment to the above bill, that "in case any alien applying for admission to citizenship shall have borne a title or order of nobility, in any kingdom or State from whence he may come, he must renounce all pretensions to his title before the Court to which he applies, and this renunciation must be registered in the said court." Mr. Giles observed that, before the revolution, the French nobles were, by the lowest calculation, rated at twenty thousand, and a great proportion of them might be expected to settle in America.

A debate ensued, and much extraneous matter was introduced. The true question lay in a single sentence; *Is this amendment agreeable to the spirit of the Constitution?* That instrument forbids Congress to grant any titles of nobility, and forbids all persons in their service to accept a title from any prince or foreign state unless by consent of Congress. This prohibition plainly shews that the framers of the Constitution wished to exclude all persons bearing titles of nobility, from any share in the Federal Government. Their intention is as clear as words can make it. But they had not foreseen the approaching downfall of nobility in France; and hence it came out in this debate that a French nobleman, a Duke of Orleans for example, might come to this Country, be admitted a citizen, and finally take his seat in Congress, without renouncing his title. This was clearly against the spirit if not against the letter of the Constitution. The framers of it never could wish to grant a privilege to foreigners that they would deny to native Americans. This position is extremely plain. Hence the amendment offered by Mr. Giles was merely filling up an accidental crevice in the Constitution, and harmonized exactly with it.

Mr. Dexter said that he was not very anxious against the resolution. He however opposed it. Little can be stated about his arguments. A bystander might often listen to him for ten minutes together without picking up a single idea. Every thought was smothered in verbage. In this speech he went out of his way to ridicule the Roman Catholic religion. A historian, or a polemical writer, has a right to examine the tenets of every sect. But an American legislator ought not, in his public capacity, to ridicule any one. He wantonly offends and insults people as good as himself, and who pay a share of his salary. Mr. Madison rose next. He pointed out the impropriety of ridiculing Roman Catholics. They had, many of them, proved good citizens during the revolution. He supported the amendment of Mr. Giles. As to hereditary titles, they were proscribed by the Constitution. He would not wish to have a citizen who refused such an oath. Mr. Page argued on the same side. He did not want to see a Duke come here, and contest an election for Congress with a citizen.

Mr. Sedgwick opposed the amendment, though he agreed with the arguments of Mr. Giles. The point in view was, he said, explicitly provided for already. By taking an oath, the individual not only renounces, but solemnly abjures nobility. The title is destroyed, when the allegiance is broken, by his oath being taken to the federal government. This abjuration has destroyed all connection with the old government. *Why then provide for it a second time?*

This kind of reasoning contained an evident obliquity. If it was right to abjure nobility by one oath, there could be no harm in repeating the obligation by another. Mr. Giles rose next and explained this inconsistency. He quoted something from Mr. Dexter. That gentleman rose, and said that Mr. Giles had misunderstood him. He involved himself in a wilderness of words. When he had done, Mr. Giles declared himself incapable of comprehending whether Mr. Dexter was for his motion or against it. He replied to Mr. Sedgwick, whose chief argument had been that the thing was provided against already. It could only be so by implication. This was a very bad way of making a law, because it gave room to endless disputes. *If the thing is in itself right, why refuse to vote directly for it? Why leave it only to be implied?* Mr. Giles declared that he would call for the yeas and nays. This intimation gave

a visible damp to one or two chicken-hearted members. Several other gentlemen spoke. Mr. Tracey took up the point upon the ground of the Constitution. Congress have only a check on officers in their service. Any other American citizen may accept a title from a foreign prince, may return to this country, and retain his title if he chuses to do so. The argument of Mr. Tracey was that, even if this amendment should pass, the alien might renounce his title, become naturalised, and in an hour after accept of the same or some other title from a foreign prince. Congress can make no law to prevent it.

These remarks, the last excepted, were just, but they chiefly shew that the framers of the Constitution had not fully expressed their ideas. They had not been able to foresee and provide for every future contingency; but the old objection remained in its full force, that nothing could be more contrary to the spirit of the Federal Constitution than to see a person with the title of an English Duke, a German Elector, or a Russian Prince, coming to America, and getting a seat in Congress. As for the case of an alien renouncing his title, and accepting it again within an hour, Mr. Nicholas had suggested a complete remedy, that the alien should in his oath engage never to accept of such a thing in future. Mr. Tracey hinted his suspicion, arising from some doctrines which he had lately heard, that the house might become political cannibals, and devour the other two branches of the legislature. Mr. Giles had urged a regard for the Constitution, as his motive for the amendment. Out of this ground it was impossible to drive him. The *Cannibals* were introduced as a retort, by hinting that Mr. Giles and others were ready to extend the powers of the House at the expence of the other two branches. A recent explanation of the power of making treaties hath since buried the Constitution under the *discretion* of the President and Senate. The fears of Mr. Tracey must therefore be at an end.

The proposal for taking the yeas and nays had given much offence to some members opposing Mr. Giles. They foresaw that his amendment would be popular without doors. They complained that he wanted to charge them with an attachment to titles and aristocracy. A correct attention to the debate did not warrant any suspicion of such a previous design. Mr. Giles could not tell whether his amend-

ment would be opposed or not. As for the *yeas* and *nays*, it has but a very mean appearance when any member wishes to conceal from the public on what side of a question he votes. The antagonists of Mr. Giles neither did nor could deny that his amendment was in unison with the spirit of the Constitution. Mr. Sedgwick only objected because it was *superfluous*. Mr. Tracey objected because the effect of the amendment could be *evaded*. This was the essence of their reasonings. In the mean time Mr. Giles, because he could not be refuted, was, with one-half of the House, upbraided by a simile from New Zealand. Mr. Dexter offered to vote for the amendment, if qualified with this addition: "And also in case such alien shall, at the time of his application, hold any person in slavery, he shall in the same manner, renounce all right and claim to hold such person in slavery."

This was a direct attack on the members from southern states. It is to be supposed that every one of them has slaves. To declare that a foreign emigrant should renounce his slaves, before being admitted as a citizen, was a reference too plain to be mistaken, and too uncivil to be forgiven. Mr. Giles immediately rose. He said that he should begin to think his amendment of very peculiar importance, if such extraordinary resources were adopted to disappoint it. He lamented and detested the existence of slavery. He was sorry to see it made a jest of in that House. This observation aimed at Mr. Dexter, who had introduced his amendment with an air of jocularly. Gentlemen had objected to the call for the yeas and nays. "Have not the public," said Mr. Giles, "a right to know the sentiments of the House on every public question?"

Mr. Madison explained several regulations adopted in Virginia for reducing the number of slaves. The operation was going on as quickly as possible. The mention of such a thing in the House had a very bad effect on the minds of these unfortunate people. Mr. Nicholas said, that Mr. Dexter had, on more than one occasion, hinted his opinion that possessors of slaves were unfit to hold any legislative trust in a republican government. Mr. Dexter then rose, and complained of the attempt to take the yeas and nays, as a design of holding up certain persons to public odium. He should withdraw his amendment, if the gentleman would withdraw his for yeas and nays. This was the most pitiful and shallow overture which could be conceived. If Mr.

Dexter was conscious of having acted right, he had no reason to be afraid of having his name appear. The heads of the debate were to be published in the Philadelphia Gazette. He was sure that the side which he took would be there stated, so that with regard to himself, it was not of the least concern whether the yeas and nays were taken or not. He was already as deep in the business as he possibly could be.

Mr. Heath read a clause of the constitution which indirectly prohibits the proposal for abolishing the slave-trade for many years to come. When the Convention, in 1787, drew up the present constitution, the preamble declared one of the designs to be the securing of *liberty*. A sanction of *slavery* could not very decently be introduced, but it was done indirectly by the following clause: "The migration or *importation* of such persons, as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress, prior to the year 1808: but a tax or duty may be imposed on such *importation*, not exceeding ten dollars for each person." The fifth article of the amendments makes allusion to the above clause as inviolable. Mr. Heath asked how gentlemen, in the face of an express article of the constitution, could propose an amendment like that of Mr. Dexter? This query did not admit of an answer.

Mr. Sedgwick made a passionate speech against the yeas and nays. That evening, he wrote it out for the press, and therein urged the conciliating merit of Mr. Dexter in withdrawing his motion. Mr. Sedgwick was here mistaken. Mr. Dexter only offered to withdraw it. The whole speech of Mr. Sedgwick was a masterpiece of wrong reasoning. The amendment of Mr. Giles was "extremely frivolous and inexpressibly puerile." Thus it is a thing extremely *frivolous* that an English Duke with his star and garter should be a member of Congress, and to attempt the prevention of such an incongruity is inexpressibly *puerile*. Yet Mr. Sedgwick had before admitted the amendment to be agreeable to the constitution. He likewise affirmed that the call was only with design to affix a stigma upon gentlemen as friends to a nobility, *when they were no such thing*. Such an objection may be made against every call. It is uncandid and unconstitutional. The call had been supported by the number of members required to enforce it. The motion was innocent; and even had it originated in a

hostile design, such a confession of forenefs was only doubling the triumph of an enemy. But when Mr. Sedgwick spoke of stigmas, he should have recollected his friend Mr. Tracey and his *cannibals*. As to the merit of Mr. Dexter in withdrawing his motion, that, if he had really done so, was but a very small atonement for the irregularity and insolence of having ever brought it forward. Mr. Sedgwick insisted that Mr. Giles should retract his motion, because gentlemen who had spoken against it would be bound in honour to vote against it. This argument was to the last degree absurd; for Mr. Giles was equally bound in honour to support his amendment, as Mr. Sedgwick was to support his speech by a vote. He complained that endeavours had been made and with too much success, to make it believed that certain gentlemen were "friends to aristocracy, and therefore unfit to administer a government founded on the principle of an *equality* of rights." In a speech already quoted, we have seen Mr. Sedgwick declare that the people have no rights at all; for he says that they lie totally at the *discretion* of Congress, and that we have no remedy but insurrection.

The debate was renewed next day, the 2d of January, 1795. Mr. M'Dowell pointed out the alarming effects that Mr. Dexter's amendment might produce, and the dissatisfaction that it would create both among masters and slaves in this country. He pointed out the injustice of saying to a foreigner, *You shall not have that kind of property which other people have*. Mr. Dexter then rose to excuse his motion. An old member who was at one of the windows when he got up, spoke thus to a stranger: "Dexter and his friends have got into a ridiculous scrape, and his amendment is but a very foolish attempt to get out of it. His language seems to be this, 'You want to hold us up to the public as *aristocrats*. I, as a retaliation, will hold you up to the same public as *dealers in slaves*.'" Mr. Dexter told the House that he did not want to *irritate*. He, for that reason, withdrew his motion, under the hope that the yeas and nays would not be taken.

Mr. Bourne of Rhode-Island, Mr. Jeremiah Wadsworth, Mr. W. Smith and some other gentlemen argued with much ingenuity against the amendment of Mr. Giles, chiefly on the score of its being *superfluous*. Nobody spoke a word in defence of Mr. Dexter. His friend Mr. Sedgwick en-

tirely lost his temper. No member, perhaps, since the new constitution, ever made an exhibition so *entertaining* as he did on that day. He deprecated the call with a prostration of humility which completed the triumph of his opposers. Mr. Madison, and Mr. W. Lyman successively replied. Mr. Sedgwick had said that the amendment was *trifling*. This Mr. Madison denied. He had spoke much of conciliation. "His own behaviour," said Mr. Madison, "seems to betray a consciousness that *he* has not promoted conciliation." Mr. W. Lyman observed that ever since he sat in that House he had seconded every call for the yeas and nays, that the public might understand as fully as possible what members were about and how their votes went. Turning round to his right hand, and looking at Mr. Sedgwick, Mr. W. Lyman stated that it was extremely wrong to ascribe improper motives for supporting such a call. *It was sacrificing the dignity of the House to cast out such insinuations.* After an obstinate struggle the call was taken. The amendment of Mr. Giles was carried; yeas fifty-nine, nays thirty-two. That of Mr. Dexter was rejected; yeas twenty-eight, nays sixty-three.

In the course of this debate not one member in opposition to Mr. Giles alleged that his amendment was unconstitutional. Mr. Ames indeed asked if it was designed to give a new text for *sedition*? But if a motion exactly in the tone of the constitution shall become seditious, it must, like many other texts, have been widely twisted from the meaning of its author. Mr. Giles and his amendment could not be held accountable for such commentators.

No member ventured to say one word in defence of Mr. Dexter's amendment; and yet twenty-eight voted for it. His friends must have considered it as indefensible. They must in their hearts have disapproved of it. Their giving votes in its favour could arise only from the doctrine of *acting together*. This is perhaps the first instance in Congress where a minority, after meeting with warm opposition, have voted in support of an amendment *without offering a single sentence in defence of what they did*. The state of the votes shewed pretty well what was the merit of this amendment. It was voted against by Mr. B. Bourne, Mr. Boudinot, Mr. Fitzsimons, Mr. W. Smith, Mr. Trumbull, and Mr. Jeremiah Wadsworth. These gentlemen were all old and experienced members, of the first weight and

influence. They were all friends to Mr. Dexter, and voted against the amendment of Mr. Giles. This, by the way, affords a pleasing instance that American parties have independent opinions, and do not alway follow each other through thick and thin. The amendment was a direct insult on the President, who has a great number of slaves. It was an insult on the southern members who constitute almost one half of the House. It was an insult on the southern states. It was not merely a text for *sedition*, but for *revolution*. It rushed directly into the throat of the constitution. It brandished a dagger against the peace of the country. The silence observed by those gentlemen who voted for it shews that they were entirely conscious of this fact. Mr. Dexter himself did not, if the author was able to understand him, offer one single argument in its excuse. He only held it up as a bugbear, that Mr. Giles might withdraw his call for the yeas and nays, a call which occurs perhaps ten or twenty times in every session. On the 27th of November, 1794, only five weeks preceding this debate, the yeas and nays were called for and taken three times, in the space of half an hour.

By the clamour raised against this call, a stranger in the House might have thought that it never was adopted but in the utmost extremity, that it was something as rare as the consultation of the Sybilline books, or the Roman dictator driving a brass nail into a stone wall to stop a pestilence.

The extraordinary mode of opposition which Mr. Giles met with did well deserve that this transaction should be recalled to public notice. The constituents of Mr. Dexter were not much pleased with the figure which he made in the printed sketch of debates. A great number of them declared that they would never vote for him again. An election soon after took place. Mr. Dexter lost his seat, and the town of Boston escaped from the oddity of having such a representative. No other part of the union ever sent to Congress a member like him. Mr. Dexter took frequent occasion of reproaching the southern members with the unlucky circumstance of slavery. He might as well have held a match to a barrel of gunpowder. The affront was too mortal to be endured. If Congress had, on the 2d of January, 1795, contained fifty such members as Mr. Dexter, the debate of that day would most likely have put an end to the federal constitution. Mr. Dexter was a

kind of legislative flambeau lighted at both ends. Certainly he did not see the tendency of his conduct, or that his petulant allusions to the French Republic might endanger the external peace of America. As to the account given of the above debate in the Philadelphia Gazette, and which, as usual at that time, was copied into the Boston newspapers, Messrs. Dexter and Sedgwick have since complained of its inaccuracy with regard to themselves. They did not complain at the time, though the writer of that piece was every day standing on their floor; and though he had repeatedly advertised that he was ready to receive and publish corrections. The plain inference is, that these gentlemen were conscious of having only received justice, in as far as the very humble capacity of the reporter was able to give it.

In this debate on the 2d of January, 1795, Mr. Hillhouse said, that if Mr. Giles "would so modify the amendment as wholly to exclude that class of foreigners, or any other, from ever becoming citizens, so far as to elect or be elected to any office, he would most heartily join in giving his vote for it." In a subsequent speech, the member repeated this idea. He conceived, he said, that Americans could legislate for themselves, much better without any assistance from foreigners. Many other very cold compliments were paid to emigrants in the mass. One gentleman declared his extreme indifference whether any more of them ever came into the country. He was afraid of their contaminating the *purity* and *simplicity* of the American character. A third member spoke much about the danger of people from the British islands becoming spies, and entering into plots against the government. Mr. Fitzsimons, a native of Ireland, and then member for Philadelphia, at length rose, and asked whether the gentleman really meant to say, that all the foreigners who came into this country were ready to act as *spies*? Mr. Dexter sounded the alarm about the jacobins from France and England overturning the American government. The debates on this naturalization bill became at last extremely tiresome. So little attention was paid by members to each other, while speaking, that it was often impossible to hear them on account of the intense noise of *subordinate* harangues. In one of the latter, a gentleman spoke as follows: "Why, we are growing worse than *usual*. We have got five or six

“lawyers among us, who would talk on about nothing till “the day of judgment.” Indeed their amendments upon amendments very often got into such a labyrinth that it was utterly impossible for the most expert taker of debates to have told what the House was disputing about, or what they would be at.

We return to the quotation from Mr. Hillhouse. Other members besides Mr. Fitzsimons were natives of Ireland, so that this proposal amounted to positive rudeness. Mr. Fitzsimons, one of the best informed and most useful members in the House, represented Philadelphia during three Congresses. He has since been selected by the President as one of the commissioners for executing the British treaty. He is personally a man of great temper and politeness, and to treat him so harshly in one speech after another, proved that America, all perfect as she is, hath yet to learn from Europe some lessons of decorum.

The appearance of America would not be much improved by the absence of those foreigners who have settled in it. About one half of the adult citizens of Philadelphia were born in Europe. To exclude them, as Mr. Hillhouse by implication recommended, from being elected to an office, and even from the right of voting, would be the most pitiful and improper scheme imaginable. It would be the certain way to erect a formidable foreign faction in the heart of the country. It would place the United States in a similar condition with Spanish America. In that country the natives of Old Spain enjoy exclusively all offices of trust. They have numerous privileges above the creoles. This distinction produces a mutual animosity, and European supremacy supports itself between the jealousy of the two contending parties. But the American constitution does not maintain its ground by such expedients. It rejects them with disdain. It says, that “no person except a natural born citizen, or a citizen of the United States at the time of the adoption of this constitution, shall be eligible to the office of President;” and this stipulation expressly announces that a foreign emigrant may hold any other office. This rule is followed in practice. Alexander Hamilton, late Secretary of State, is a native of St. Croix. The eleventh clause in the amendments to the constitution says, that “the enumeration, in the constitution, of certain rights

“ shall not be construed to deny or disparage others, *retained by the people.*” One of these is an universal right of citizenship, under certain rules as to admission. If Mr. Giles had adopted such an amendment, he would have been in a still worse scrape than Mr. Dexter. He would have gone through the very heart of the constitution. If Congress were to make such a law, they would exceed their authority. They can lengthen or abridge the time of probation. They can point out a way of enquiring about the moral character of the emigrant. Any act which they pass can be repealed or amended by their successors or themselves. But the constitution has not this ephemeron mode of existence. It is immutable. Congress have no right to meddle with it. For this reason they can *regulate* but they cannot *reject* the claim of foreigners to the rights of citizenship. A Frenchman or a Jew, landing to-morrow, must perform his legal quarantine of residence and probation. He is then entitled to hold any office in the country, that of President alone excepted. No law could have made this exception. It lies in a source antecedent and superior to the laws. It is a part of the constitution.

It is strange that a member from Connecticut should make this churlish proposal. Above any state in the union, Connecticut has rained down emigrants to every point of the compass. They are welcomed as fellow-citizens in every state, and they ought to entertain liberal sentiments on this subject. The citizens of Philadelphia think very differently from Mr. Hillhouse. For six years they were represented in Congress by an Irishman. He has been succeeded in the two following elections by an Englishman, who carried the day against a native American. In the fifth Congress the county of Philadelphia is to be represented by an Irishman, who, as already noticed, was chosen without solicitation, by the spontaneous preference of a large majority of electors. The American revolution could not have been effected but for the assistance of foreign emigrants. Those from Ireland were of the last importance to the cause. They were fighting for America by sea and land, while Benedict Arnold was burning storehouses in Virginia, and while tory Butler, at the head of a gang of Connecticut refugees, was destroying the north-western frontier of Pennsylvania. While some of the representatives from that state are so much scandalized at French cruelty, they would do well

to remember the conduct of part of their own citizens in the last war. The settlers at Wyoming were turned out into the deserts of Northumberland by their personal acquaintances from one common state. Some women in pregnancy were delivered in the woods. The tories exceeded, in savageness, even their confederates the Six Nations. This trait is given on the testimony of a native of Connecticut, who was present when his countrymen came to attack an infant settlement planted under the auspices of Connecticut itself.

Thus much for Mr. Hillhouse, and his amendment. The extreme indifference professed by another gentleman about emigrants coming over can hardly be sincere. Mr. Vans Murray has a literary turn. He is fond of reading, and his stile announces that he has studied the English language with diligence and success. Take away all the Scots and Irish booksellers from Philadelphia, and the member could hardly supply his library. With three or four exceptions, the whole trade centers among foreigners. The case is much the same both in New York and Baltimore. If emigrants had never done any other service to America, the importation and reprinting of so many good books should entitle them to respectful notice on the floor of Congress. To them Philadelphia has been largely indebted for its superior progress in printing. The first regular office for book printing in the city was established by Mr. William Young, a native of Scotland. This took place only twelve years ago, and the plan was regarded as chimerical. Before that time the trade was almost entirely, if not altogether, carried on as it is now in Lancaster, Alexandria, and other places, by printers of newspapers and almanacks. Mr. Young hath since done ten times more in the way of printing books than any person had attempted before him. He has likewise built a paper mill, an undertaking of the highest advantage and utility to the United States. His success has been so closely followed up that Philadelphia has now about thirty offices exclusively for printing of books. This gentleman, according to some of our legislators, might as well have staid in Europe. He is not fit to be entrusted as an alderman, or even with a vote for the choice of one. The Encyclopedia has been republished, with valuable additions, by a Scotchman; who has also reprinted above an hundred other useful

books. A splendid bible, at twenty dollars per copy, is now in the press by two Englishmen. Guthrie's Geographical Grammar, at sixteen dollars, was reprinted by an Irishman. About one half of the work was written over again, and innumerable blunders corrected in the rest of it, at an expence of a thousand dollars. Two young men from Ireland gave America her first edition of Shakspeare. Are not the United States indebted to such citizens? Are they to be told that they were welcome to have staid in Europe? Philadelphia has not forgot the day, for it is but lately past, when four booksellers held a consultation about the printing of Dilworth's Spelling book.

Of the five daily newspapers printed in Philadelphia, the first and second were set up and conducted by two natives of Ireland, who served during the war in the American army, and who by industry and perseverance have acquired ample fortunes. One of these two, the Philadelphia Gazette, after deducting all charges, nets to its editor at least sixteen thousand dollars a year of money punctually paid. Englishmen are proprietors of two other prints in this city. The first stenographer in Congress was Mr. Loyd, an Englishman, the second Mr. John Carey, an Irishman. When the House of Representatives wanted a person of that sort, they sent to Petersburg in Virginia for a Scotsman. Thus it goes, and yet emigrants are to be despised. America is under no necessity to court them, but it is just as improper to slight them. Of the two principal historians of the revolution, the one, Mr. Gordon, was a Scotsman; the other, Dr. Ramsay, is said to be a native of the British islands. When Congress in summer, 1794, shut up six snuff mills in this state, two of them belonged to a Scotsman. The plan of the bank of Pennsylvania, which defrays the current charges of the government of this state, was drawn out by an Englishman. An engineer to superintend the Delaware canal has, it is said, been got from England. The astonishing improvements in labour-saving machines will one day be transplanted by emigrants from England to America. Of the importance of these the reader may judge by the following extract of a letter from Edinburgh, dated the 20th of August, 1796.

“ We have made great improvements in labour-saving machines. Our linen yarn is now spun by water, and our women weave. In short we manufacture almost double

“ the quantity of this kind of goods that we did formerly, and with *fewer hands*.” The writer of the letter is a person of veracity. This invention alone would shew what useful lessons in political economy remain to be acquired by the United States. Many persons in this country are willing enough to slight emigrants, without legislative exhortation. Some of these people were lately travelling on foot across New-Jersey. They were refused a drink of water. The reason assigned was that it had been brought from a considerable distance, and the carriage of it required trouble. One of the emigrants fell sick, was refused assistance of any kind, and had almost perished for want of those common offices of humanity which are to be had among the Creeks and Cherokees. Some time ago, a gentlewoman from England, with her two daughters, arrived by the stage-coach, in a certain city that shall be nameless. On alighting at the inn they asked for a dish of tea, but it could not be got. They found their way to another inn, where tea was procured, but it was hardly drank when they were told that the room was bespoke, and they were a second time turned adrift. Some gentlemen from England were supping in a tavern where they called for cheese. The answer was that the house had none *cut*. Ask for a bed, and you are sometimes answered with this question: *Do you intend to stay a fortnight?* These things which do sometimes occur, are perhaps polite and hospitable, but they look very odd to a person just arrived from the old country.

As to the contamination of *purity* and *simplicity*, the hazard is not great. There never existed a country where mutual reproach was more bountifully bestowed than in the United States. Almost every newspaper speaks of conspiracies against the constitution formed by one-half of the people. This is the tone of almost all party writers from Camillus down to William Wilcocks. Every disputant sees in his antagonist a conspirator in the pay of France or Britain. In April, 1796, it was affirmed that all the representatives who voted against the British treaty were French pensioners. They were branded as the faction of Robespierre, who had been put death in July, 1794, before they were elected. On the other side, it will perhaps be inferred that the legislators who wanted to raise a standing army, had a design of subverting the constitution. It is more natural to suppose that they did not see in its full

extent, the consequence of what they were doing. They wanted to strengthen the hands of government beyond the proper degree, and in their eagerness for doing so, they forgot that the expence of their plan made it impracticable. As to the perpetual disputes in Congress, they are a thousand times less objectionable than if members were to vote unanimously without enquiry. Difference of opinion exists in every society, and this obvious explanation might have saved our writers from the labour of investigating a succession of fanciful plots against the present government.

But while our citizens are reproaching each other in such a way, they have no right to claim any purity and simplicity over the natives of other countries. The latter on landing in America have sometimes met with usage remote from simplicity. A British family, consisting of seven persons, landed at New York in the fall of 1795. Some of them fell sick at a lodging-house, where the family paid seventy dollars per week for board wages. They had no money to cast away, and this was cruel treatment. If their landlord could not afford to let them stay for a less sum, he might surely have found them quarters where they could be subsisted for half that expence. When a poor man has been ten weeks on the sea with his family, has not perhaps two hundred dollars about him, is a stranger in the country, and has not begun to earn a shilling, it is inhospitable and ungenerous to screw him at such a rate. The gentleman from Maryland is requested to pardon this criticism on his panegyric. The author has a high respect for his character, and is hopeful that where offence has not been intended it will not be taken.

Since the ratification of the British treaty, greater quantities of goods than formerly have, it is said, been imported from England to this country. Of many kinds, it is affirmed that there is at present on hand an assortment large enough to serve the market of Philadelphia for eighteen months. Some of these goods have been sold in Philadelphia for less than prime cost. In October last, at an auction room in this city, a lot of flannel of four pieces was knocked down at nine cents, or fivepence sterling per yard. It is not thought that such a price would repay the British expence of spinning, unless by the new water machinery. When this bargain went off, an old quaker, after looking at the goods, exclaimed, "Friend, such work is

“shameful.” The date of this affair, and the name of the seller have been offered for publication; the reader may rest assured that the fact is strictly true. But indeed every man in Philadelphia knows that, for sometime past, various goods, hardware, cutlery and muslins for example, have been often sold at one-half of their wholesale price in Sheffield or Manchester. This is another feature of American simplicity. Such retailers can scarcely have a design of paying their correspondent. Thus British piracies by sea are partly retaliated upon dry land. The violent support which the late treaty received in the sea port towns of America, derived part of its vigour from the prospect entertained by certain persons of extending their mercantile credit. It is fair to state the conduct of those people who buy British goods on trust, and sell them for ready money at less than their first cost. This is a postscript to the Jewish scheme of *spoiling the Egyptians*. That affair produced a golden calf, a rebellion, and a massacre. The casual abuse of British credit, besides its intrinsic baseness, ought to be exposed for another reason. If the new executive shall persist in the present anti-Daytonian system of enforcing the payment of British debts, we may look for a governmental discharge of these insolvencies in the next edition of the treaty. Thus, in the sequel, the cottons and cutlery, like the jewels of Egypt, may prove a dear bargain. As matters at present stand, Lord Grenville needs not to be afraid for some of these debts. They could not defray the expence of an act of sequestration, so that were Congress to arrest them; the loss to English creditors would be but nominal. It is the duty and the interest of every honest trader to warn his British correspondents of such a practice; because it cannot fail to injure the credit of the country.

“Mr. Lemuel Benton, from South Carolina, having been prevented by want of health from appearing in his place during the last session, in the House of Representatives, happened to arrive in Congress, on the 9th of June, 1794, the very day on which they rose. He was by law entitled to his travelling expences; but he refused to accept them. *Precedents of this kind deserve to be recorded.*”^{*} Mr. Benton afterwards asked for and received the money.

^{*} American edition of Guthrie's Geography, vol. 2, p. 312.

Congress have set many excellent examples of œconomy. The Emperor Julian, on ascending the imperial throne, dismissed from the Byzantine palace, seventeen hundred useless domestics. Some American legislators would, in the same situation, have acted as wisely. The franking law formerly suffered bundles to be sent by post, and packages of foul linen were sometimes transmitted in that way for an hundred and fifty miles, to elude the exorbitant expence of a Philadelphian washerwoman. This trait is inserted from sound authority. Of one gentleman who adhered to this practice the name has been often mentioned. He did not represent any district in the southern states. "I am not only witty myself," said Falstaff, "but the cause of wit in others." Thus, Congress are the the cause of œconomy in many of the clerks in public offices, and some of them could not reside in Philadelphia, and support the rank which they are entitled to hold, unless they had other resources than their public salaries. Mr. Beckley, clerk to the House of Representatives, has fifteen hundred dollars a year, which, in the present depreciation of money, will not go farther than an hundred and fifty pounds sterling in London or Dublin. The first clerk to the Secretary of State has only eight hundred dollars a year, of which he probably must pay two hundred and fifty for the rent of a tolerable house. One gentleman, in a case of emergency, hired clerks who were necessary at his own charge, and retribution was refused. The loss came so heavy that if he had not been possessed of separate funds, he must have broke up housekeeping. This last instance arose from the acuteness and frugality of a person still very high in office. At this same time, Congress were paying captains of frigates not yet launched, and chaplains, whilst a clerk at the mint got five hundred dollars a year for issuing twenty dollars per day; and while Congress were adding a fourth clerk at the same salary, though when previously cautioned in the Philadelphia Gazette, the select committee could not invent an use for him. Mr. Boudinot ought surely to dismiss those gentlemen who told him that they could not get cents vented, when all the cents which they struck off did not pay half their own salaries. An act should have been made ordering these pensioners to receive their allowance in cents, and in no other sort of money. This would have been a sure way to get copper coin circulated, and even struck off.

The officers would have made a wonderful exertion before they had wanted cents sufficient to pay their own salaries.

In the American Congress, every member professes to judge for himself, and to form his opinion from the various rays of information concentrated by diligent enquiry. Hence a speaker ought not to assume that British phrase, *the gentlemen with whom I have the honour to ACT*. On many points members who commonly vote on the same side shift their ground. Thus in the stenographical debate, on the 29th of January, 1796, Mr. William Smith, Mr. Giles, Mr. Harper, and Mr. Nicholas were in favour of the report of the committee. Mr. Sedgwick, Mr. Baldwin, Mr. Swanwick, and Mr. Hillhouse, were against it. Never was a pack of cards more completely shuffled than the parties in this arrangement. When a member at London mentions his *honour of acting*, he refers to that scene of faction and corruption which Parliament uniformly displays. The life of Lord Chatham, printed in two quarto volumes, affords some curious traits of this *action*. Old Pitt used to say, "I was forced to *borrow the Duke of Newcastle's majority*, to carry on the public business." In what way business will be done by a borrowed majority, let any man judge. The same book says that, at one time, Mr. Pelham was entrusted with "the *pocket-list* of the House of Commons." The phrase of *acting together* does very well at four o'clock in the morning for a ministerial whipper-in, when the ceiling of St. Stephen's Chapel rings with *Hear him! Hear him!* and when every member has at least one bottle within his doublet. In the House of Commons, gentlemen seldom begin to assemble till five o'clock in the afternoon, and it is commonly six, seven, or eight in the evening, before important business comes on. If a debate ensues, it is hardly possible for the House to rise before midnight. They frequently sit till two, three or four in the morning, and sometimes, it is said, till seven*. Many members, from want of health or fatigue, are forced to *pair off*. *The noses*, to use a parliamentary term, are always *counted* beforehand.

* At London, day and night are inverted by the fashionable world. The present President of the Scots Court of Session was once, when in that city, invited to dine at ten in the evening with the Duchess of Gordon. He excused himself, as being previously engaged to supper at eight.

When a gentleman on each side is tired out, they both agree to go home without voting. By this stipulation the balance between a minister and an opposition remains equal. Great numbers retire at dinner time, that is, about eight or nine in the evening, to adjacent taverns. There they sit eating or drinking, till a message informs them that the question is just going to be taken. At notice from their feugle-man, they crowd by dozens into the house, and give their votes without pretending to hear a word of argument. The American constitution should have expressly prohibited members from meeting after dinner. At present they never do so, above once or twice in a session, and sometimes not even once. If they get into the British practice, the same consequences will ensue. Americans need not wonder at any act of folly committed by parliament. The House of Commons very seldom transact business until one half of them are half drunk. Charles Fox has been hauled at midnight from a gaming table and a bottle to give a harangue, and, in spite of a plentiful libation to Bacchus, he has made an excellent speech. Pitt and Dundas have been seen damaged on the treasury bench. Their strange orders and counter-orders about American shipping must partly be ascribed to the predominance of port; for to call the leaders of the British cabinet scoundrels would imply a degree of consistency and of consequence, which they hardly possess. A few years ago, it was a point of diversion, with many gentlemen in the House of Commons, to rise in a body and rush out, with as much noise as they could well make, whenever Edmund Burke began to speak. This obtained for him the nick-name of *the dinner bell*. Some people once entering the house, met a band of this kind coming out, and enquired whether the House was *up*? "No," said one of them, "but Mr. Burke is up." They once in their retreat behaved with such marked rudeness, that Burke scolded them in the dialect of a fish-woman. On one occasion, a vote was going to be taken by surprise, before the regiment in which Edmund then served, had appeared on the parade. He rose, and in defiance of every call for the question spoke *on*, till couriers returned from the quarters where his troops were billeted. These few anecdotes may serve as a commentary on the text of Mr. John Adams. When an act is going to be past, the draft is usually sent round to every public office, and the heads of each add what clauses

they think convenient for themselves. This medley is, without further examination, hurried into parliament, and scoured through by a majority who have been at beef-steaks and claret, while the few men of business in the House canvassed its contents. The tobacco bill mentioned in the late History of Excise is an example of this kind, as also the corn bill described in the first part of The Political Progress of Britain. On this account three or four successive statutes are often wanted to explain *one*. Mr. Sheridan, some years ago, took up this topic in a ludicrous title. "Here," said he, "we have a bill to explain an act to explain a bill to amend a statute, &c. &c. We get into a circle like that in the school-book, This is the cat that killed the rat, that eat the malt, that lay in the house that Jack built." In such a way is public business conducted; yet some persons in America have been so ill informed as to admire this mass of legislative putrefaction. It is only just better than the old government of France, under confessors and superannuated mistresses, the Maintenons, the Pompadours, and the Barrys. Most of these ladies sold public offices as openly, as a farmer's wife in the market sells a turkey, or a basket of peaches. The following narrative, among ten thousand others of the same kind, will shew what sort of a composition the British government is, when, from the top-mast of theory, we descend to the main-deck of practice.

In 1771, the House of Commons ordered some printers to be apprehended for publishing their debates. They obtained likewise a royal proclamation against the offenders. The lord mayor and aldermen of London protected the printers, and forced the person who took them up to find security to answer for his offence. In passing it may be observed, that Congress are, in the city of Washington, to be both lord mayors and aldermen in their own persons; so that a taker of debates is sure of being *Whitneyed*. The London printers continued to publish the debates. One of them sent to the Speaker a copy of an opinion by lawyers, that the warrant of the house and the royal proclamation of a king who can do no wrong, were, both of them, illegal, unconstitutional and void. The lord mayor and alderman Oliver were afterwards sent to the tower, the house refusing to hear their defence by counsel. Alderman Wilkes was ordered to attend the house, but not being summoned

as a member to answer in his place, he would not go near them. Amidst this jumble of anarchy and arbitrary power, the printers persisted in publication. No man of correct ideas will say that precedents or decisions from such an assembly are worth much attention; and as for comparing their constitution to the art of printing, or the mariner's compass, the thought is over-strained. In Randall's affair, the house referred to their inherent right of sending their serjeant at arms to any quarter of the union, to arrest and bring to their bar a person accused of breaking their privileges. The very word *privilege* implies a resemblance to usurpation. It refers to something which the possessor holds in exclusion of every body else; and of which he would not have an exclusive possession, but by a particular law or custom. We do not say that a man has a privilege to yoke his plough, to mount his horse, to post his leger, or to thresh his wheat. These are not privileges but *rights*. That which is not right is at best on the highway to that which is wrong. This remark seems to apply to that assumption by the House of Representatives of an universal power of arrestment. It is not much better than Mr. Sedgwick's alleged universal right of assessment. In the above case of the London printers, the British House of Commons, though backed by a royal proclamation, could not take up or stop the progress of an editor, who was just under their beak. But if the Representatives take umbrage at a newspaper of Boston, or Savanna, they at once issue a warrant, and by their own arbitrary *privilege* drag a person two, four, or twelve hundred miles from his office and his family. When he arrives at the bar, the house are busy about something else, and order him to see lawyers, and be ready, in a week or ten days for his defence. He goes to jail, or by special favour is admitted to bail. But absence from business, the positive charges of that absence, the loss of credit, and the odium attending such treatment from so powerful a body, all together make him, as in the late instance, a bankrupt. After haggling for two or three weeks at the bar of the house, they graciously dismiss him, or perhaps he is never examined at all. By this privilege, claimed and tacitly admitted in the case of Whitney, it appears that either house of Congress, when they chuse to be at the requisite expence of character and decency, can ruin almost any man. On what

part of the Constitution, Congress found this claim they have not said. It was rather stated as some incomprehensible *inherent* privilege. Yet the noble stand of the London printers proves that the British house of Commons, though sufficiently despotic, dare not exercise it. Stringer,* with a pair of loaded pistols, held them at defiance. The Constitution says that "each house may *determine the rules of its proceedings*, punish its members for disorderly behaviour, and, with the concurrence of two thirds, expel a member." This seems to be the only passage in that instrument, which has a reference to active exertion of privilege. The words in italics may be screwed up to an universal power of arrestment just as reasonably as the Senate, by their engulphing explanation of the power of making treaties, have snapped through the vitals of the American constitution. If this be the way in which we are to torture the text of that clear and valuable production, it is hardly worth its room in the corner of a chest. Lord Peter explaining his father's will† is entirely as logical. The Representatives have assumed a right to receive information upon oath, and it appears above that the British Commons do not claim such a privilege. Thus the house, without authority from the constitution, and without even a questionable precedent from the Commons of England, plunge into privileges of which no mortal can guess from whence they came, or where they are going.

This right of sending for a person to the congressional bar, amounts to a suspension of the act of *Habeas Corpus*. The measure is never adopted in Britain but in cases of serious alarm. It is sure of meeting with a violent opposition; yet the American *House of Commons* in effect assume it as a matter of course. The federal constitution says that "the privilege of *Habeas Corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it." The House of Representatives say that the printer of a newspaper may be hauled

* If the Author is not mistaken, this was the name of the person before mentioned. The anecdote, which he has met with more than once, was many years ago taken from some book of which he does not at present recollect the title.

† Tale of a Tub.

a thousand miles from his office, to the certain ruin of his business, the probable ruin of his credit, and the possible hazard of his life. This is American liberty.

The Constitution, Article I. Section 8th, defines the powers of Congress. As to the expenditure of public money, it has these words. "No money shall be drawn from the treasury, but in consequence of *appropriations made by law.*" Congress occasionally trespasses upon this rule. At the end of a session, each House has more than once made donatives to some of its officers, without the common form of a bill. It is not the propriety of giving the money, but the irregular mode of doing so, that is here stated as a point for objection. When a person is employed by the public at a salary, a House of Representatives are surely not warranted in augmenting any more than they would be in reducing it, unless by the joint operation of the whole legislature. For this reason, a gentleman at the head of a public office declined, not long since, a donative to his clerks, unless it could be procured by a bill. His conduct deserved praise and imitation. Nobody will say that a president can by his own authority, raise the salary of a secretary of state. Yet he is within his own sphere entirely as independent as the Representatives. If he cannot augment the allowance to a secretary, unless by a bill passing through both houses, neither can any one of them give an hundred dollars extra to a door keeper without the same formality. It is not the *quantum* but the principle that lies open to censure. The constitution is explicit. It does not even stipulate that every member shall have three daily newspapers at the public charge, in any other way than by a bill. Every expence must be comprehended in an act ratified by the three branches. To plead the merit of individual officers, or the propriety of a member being acquainted with the contents of newspapers, is totally shifting from the question. If your serjeant at arms has too small a salary, pass a bill to enlarge it. If you cannot afford to buy newspapers out of the public allowance, pass a bill, and get what you think necessary. That the House in granting a donative to one of their officers act with upright-intention is not a proper apology. If a pin may with impunity be pushed through the constitution, the whole instrument will soon be in tatters. One case will by degrees authorise another, till administration sinks into a *bundle of*

precedents. This is the real state of what is improperly called the British *constitution*. Nobody can tell when the first parliament sat, and it is a point very strongly contested, at what æra the commons got into it. Every question about them resolves into *the usage of parliament*. When a new case occurs where the lawyers are at a loss, or where the former practice stands opposite to the object wanted, a new act is patched up by the majority to serve the present turn. The constitution is like a fiddle, and parliament is the stick, by which the temporary holder plays whatever tune he pleases. This is the government by *discretion* which our Vice-President admires, and which Mr. Sedgwick, and the partitioners up stairs, have mistaken for the American constitution.

The House of Representatives will acknowledge the legality, and their good sense will see the propriety of suggesting such *errata* as may be suspected to occur in their proceedings. Of one thing the author is internally conscious that no person feels a higher respect than himself for that body. His impressions are perhaps stronger than those of an American who has never seen with his own eyes the governments of Europe. The full value of a truly republican legislature is best known by those who have suffered from want of it. What a hideous contrast to the Chamber of Representatives is held out by St. Stephen's Chapel! Behold William Pitt imprisoning printers for the bare republication of his own pamphlet! and Henry Dundas, the blasted prompter to the seducers of his late wife, railing at the wickedness of Thomas Paine! Observe Paul Benfield tearing from the bowels of India a compound interest of four per cent per month on a debt which never was contracted! and Tarleton, with his hands reeking from American assassination, deploring the barbarous captivity of Fayette! From one bench Pulteney vindicates the partition of Poland. From another, Wilberforce, the advocate of African freedom, pleads for enslaving twenty-seven millions of Frenchmen! Behold these gentry, while their country was on the brink of a famine, giving an hundred and twenty-five thousand pounds sterling per annum to a Prince of Wales, dripping from the kennel*. This is

* Some years ago his royal highness, and that colossus of public virtue, Charles Fox, were crossing Grosvenor Square,

that assembly which Horne Tooke affirms to be the Representatives of Hell.

CHAPTER VI.

Mr. Adams. His panegyric on the British Constitution. An appeal to facts. Anecdotes of the British Cabinet. Remarks on the late speech of George the Third. What the British Island is worth. Whether an American Ambassador at St. James's runs hazard of being bribed. Sketch of the Government of Pennsylvania since the Revolution. Its injustice to the claimants on Luzerne. Elegant stile in some part of its journals. Mr. Wolcott. His imprudence as to Citizen Adet. A curious trait of Mr. Hamilton. Diplomatic Blunderbuss. Patronage of its author by Mr. Wolcott, and the Tories of Philadelphia. Anecdotes of Diplomatic History. A French war probable, from insulting the French Ambassador. Features of the late Election of Presidential Electors. Defence of the Southern States against Pelham. His proposal for breaking up the Union. A glance at Mr. Wilcocks. Remarks on Fauchet and Mr. Randolph.

AS our Vice-President is such a sanguine admirer of the British constitution, he would certainly be glad at seeing something like it set up in the United States. One half of our citizens think him fit to be their supreme magistrate. It is hence of importance to examine his principles. For this purpose, ever since General Washington gave in his resignation, the newspapers have been blocked up with long extracts from *The Defence*. But good facts are better than good arguments. The latter may be shaken; the former cannot. For instance, if it should come out as an admitted *fact*, that an American citizen turned informer to the Attorney-General of England against Thomas Paine,

about twelve o'clock at night; one of them got into the above situation. Whether it was the prince or the prime minister cannot be told, as the night was dark. A very large company had once assembled in a tavern near London, and were begun to dine, when George the Fourth entered the room, and immediately discharged the contents of his stomach on the floor. Upon this the company broke up.

that he wrote untruths from this country to England, to exasperate the prosecution, and complete the ruin of that benefactor of America; that the Attorney-General should in open court pull out the letter of his spy, read it, and appeal to its authority; after these circumstances had been proved, no succeeding *fact* would be capable to wipe out their ignominy.

Instead, therefore, of entering into long theoretical discussions about forms of government, we shall begin this chapter with a few *facts* relative to the British constitution, as it operates in practice. This leads us directly to the inmost recesses of the Vice-President's heart. While he knew that constitution only by *theory* he abhorred it, and on that account promoted the American revolution. When he went to reside at London, when he saw with his own eyes the purity and felicity produced in *practice* by that constitution, he reversed his sentiments and fell in love with it. Let us proceed to particulars, and give a few random but interesting anecdotes of British parliaments, ministers, and kings. In America, human nature is composed of the same materials as in England, so that monarchy would produce similar effects on both sides of the Atlantic. By this sketch we shall see what it is that Mr. Adams admires.

On the 7th of October, 1796, George the Third, in his speech to Parliament, spoke or read thus: "Our extensive and increasing commerce has been *protected* to a degree almost beyond example." [The New Annual Register for 1795, Part I. p. 256, relates that the French in this war have taken *three thousand* British vessels, while they have lost but *eight hundred*.] "The fleets of the enemy have, for the greatest part of the year, been blocked up in their own ports." [If English commerce has suffered so dreadfully while they stay *within*, it must be ruined when they are able to *come out*. In this blocking up, the French had clearly the advantage. They staid at home and did nothing. The English, who watched them, came abroad and did nothing. But the story is untrue.] "The operations in the East and West Indies have been highly honourable to the British arms, and productive of great national advantage." [As to the East Indies, the Cape of Good Hope has been taken from the Dutch; but Gage might as well have boasted of reducing Massachusetts, by the battle of Breed's Hill. The Dutch set-

tlements extend for several hundreds of miles into the country, which is, in many places, extremely mountainous, and even often almost absolutely inaccessible. It is inhabited by a race of hardy, well-armed, and independent farmers. Dr. Sparriman, a respectable traveller, about sixteen or twenty years ago, penetrated into the back settlements. He says that the colony could muster seventeen thousand musqueteers. The English at the Cape must depend on them for daily subsistence. As to the West Indies, the English regiments that went out in January, 1796, are successively returning to Europe with a tenth part of their original complement. A letter from Martinico, quoted in the Aurora of the 28th of November, 1796, says, that from the 1st of April to the 1st of September, five thousand six hundred and fifty died in the army. Speaking of Germany, and the repulse of Jourdan, George goes on thus:] “Such a turn has lately been given to the war as may inspire a well grounded confidence.” [About a fortnight before this speech was made, Buonaparte had exterminated Wurmser’s army in Italy, and shut up that general himself in the citadel of Mantua. The Elector of Bavaria was engaging to pay two millions of dollars to the French, besides an enormous mass of supplies, which if exacted from Pennsylvania, would shake her to the centre. That Prince must even give the republicans their choice of twenty of his paintings.] “The enemy has openly manifested their intention of attempting a descent on these kingdoms. It cannot be doubted what would be the issue of such an enterprize.” [He does not say what the issue would be, but it is easily foreseen. Put the case that two hundred thousand Frenchmen were disembarked, England, in the first place, wants a general. Cornwallis or Sir Charles Grey, cannot, in point of experience, be compared even to the fourth rate names in the French army. This would make a miserable odds in point of manœuvres. Again, almost all the English veterans have been destroyed in Flanders and the West Indies, and the private men, though by nature as brave as the French troops, want experience. A consciousness of this defect will tend to destroy that self-confidence, without which no army has a chance for victory. The very landing of the troops would produce such a fall of the public stocks, that the bubble would, in three days, most likely burst. This of itself, though the French were

not to fire a pistol, would, with mathematical certainty, break up the government. England has not one place of strength, which could hold out for half an hour. A single defeat of the English would be likely to end the business, and who can be sure that the French would lose the first battle? As to the British navy, at the revolution, in 1688, William the Third landed in England, while a British fleet superior to his was lying wind-bound, so that he passed by un molested.

This royal speech, from the first line to the last, is full of untruth and sophistry. Instead of paying such a man an extravagant salary, parliament, as a due reward for his trifling, should have turned him out of their presence. Yet Mr. Adams wrote his defence of hereditary succession at the court of this king. As to parliament, that discovery which he thinks one of the most stupendous in nature, something shall be said. During the war of 1775, Lord North upon one occasion stated a very large sum for *secret service money*. Mr. Wilkes arose, and enquired what had become of this money? "It has gone," added he, "into *the pockets of the members of this house*. We are at this day, Mr. Speaker, THE MOST CORRUPTED ASSEMBLY "IN EUROPE." If a Representative were to hold such language in Congress, the returning sense of shame would prevent him from ever speaking in that house again.

Soon after the accession of George the first, Mr. Robert Walpole, who had undertaken "to *manage* the House of Commons, was gratified with the double place of Paymaster to the army, and to Chelsea Hospital*." Four years before, this man had been turned out of the House of Commons for a fraud to the extent of five hundred guineas. His political resurrection might have been considered as an insult on the public, if it had not been tacitly understood by all parties, that he was just as honest as any other gentleman in St. Stephen's chapel. Parliament did not preserve that shadow of decency which is necessary even for the *administration* of a bagnio. Were the waiter in such a place detected stealing a watch or a bank note, his master, in justice to the reputation of the house, would think it requisite to kick him down stairs, or perhaps toss him out of a window. With the *modesty* which was to be expected

* Smollet, Book ix.

from such a character, Mr. Walpole now informed Parliament, "that he wanted words to express the villainy of the "last Frenchified ministry."* On the 6th of April 1715, a motion was made in the House of Commons for taking into consideration the king's proclamation, upon calling a new parliament. Sir William Wyndham asserted, that the style was *unprecedented* and *unwarrantable*. A debate ensued. He was ordered to withdraw, and was accompanied by an hundred and twenty-nine members. The affair ended in his receiving a reprimand from the Speaker, who told him that he had "made an unwarrantable use of the freedom "of speech *granted by his Majesty.*"† This claim of the crown is a ridiculous remnant of Norman despotism. If the members of Parliament possess not a hereditary right to freedom of speech, there can be no use for their meeting at all. The public has already been surfeited with citations from Mr. Adams's Defence. On that account, it is here only stated in general, that he attempts to make a distinction as to the British government, between its theory and its abuses; to admire the former, without approving the latter. This attempt cannot succeed, because, as already stated, the British constitution is only a bundle of precedents. It never had a theory but what arose from a series of accidents. Judge Paterfon and Mr. Paine have already settled that point. If Mr. Adams does not approve the British government as it now practically exists and operates, he is enamoured with a political dulcinea, who, like her sister in Cervantes, never had a being. The following narrative is a continuation of the proceedings of the assembly above mentioned.

The inconveniencies of the English form of government never appeared in a more striking light than during this session of parliament. The great body of the nation were highly satisfied with the peace of Utrecht, and looked up to its authors as public benefactors. "The people," says Dr. Johnson, "who had been amused with bonfires and

* Tindal, vol. xi. p. 46,

† Tindal, vol. xi.—Smollet seems often to have attempted nothing more than to abridge Tindal. On this occasion, he has confounded Sir William Whitlocke, who at once asked pardon of the House for this expression, with Sir William Wyndham, who refused it. *Vid. Book is.*

“ triumphal processions, and looked with idolatry on the
 “ general and his friends, who, as they thought, had made
 “ England the arbitress of nations, were confounded be-
 “ tween shame and rage, when they found that *mines had*
 “ *been exhausted and millions destroyed*, to secure the Dutch,
 “ or aggrandize the Emperor, *without any advantage to our-*
 “ *selves*; that we had been bribing our neighbours to fight
 “ their own quarrel; and that, amongst our enemies, *we*
 “ *might number our allies*. That is now *no longer doubted*,
 “ of which the nation was then first informed, that the war
 “ was unnecessarily protracted, to fill the pockets of Marl-
 “ borough; and that it would have been continued with-
 “ out end, *if he could have continued his annual plunder.*”*

Of this the whigs were sensible; and, apprehensive that their own present authority could be supported by nothing but violence, they adopted such measures as might have been expected from a horde of Tartars. On the 9th of June, 1715, the House of Commons determined to impeach Bolingbroke, and Harley Earl of Oxford, for high treason, but the former had already made his escape in the end of March. On the 21st of June, a motion of the like nature was agreed to, against the Duke of Ormond, by a majority of two hundred and thirty-four voices against an hundred and eighty-seven. So doubtful a victory, which was obtained after a desperate battle, is, in itself, an ample attestation of the innocence of Ormond. Several of the court party forsook, on this question, the phalanx of Walpole; and their desertion affords a pleasing, though solitary proof, that the partizans of a minister may be capable of shame. The crime of the Duke was, that, in obedience to the orders of Queen Anne, he had accepted the command of the English army, on the dismissal of Marlborough. He fled, and was ruined. The Earl of Oxford came into the House of Lords on the 10th of June, the day after his impeachment had been resolved on by the Commons. He was avoided as a pestilence. Only three years and a half were elapsed, since he had created twelve peers at a single stroke. After such a signal example of ingratitude and baseness, who would be ambitious of the power of dispensing peerages? The art of making pin-cushions bestows a more durable advantage on its possessor. Oxford had been introduced to his

* Johnson's Life of Swift.

office as champion of the church, but the Bishops were determined to fail with the times. On the first motion for his commitment, of twenty who were in the House, only six voted for him. On Saturday the 16th of July, he was sent to the Tower. He was then so much indisposed by the gravel, that Dr. Meade declared his removal to be at the hazard of his life. He requested leave to remain under custody in his own house till the following Monday. His desire was refused. What would Mr. Adams have said or thought if, in such a situation, the House of Representatives had sent John Jay to jail. Harley remained under confinement for almost two years. About the end of June, 1717, he was brought to trial; but the two Houses quarrelled as to the method of proceeding. After a hearty scolding bout among themselves, a frequent and honourable circumstance in their history, they parted, and the Earl of Oxford was dismissed from the bar. Here is a valuable precedent for the confinement of Charles Whitney. Harley descended so far from the dignity of his situation, as to be solicitous of appearing at court. George forbade him. The Commons, at the same time, presented an address to the crown, requesting that Oxford might be excepted from an act of grace, which was then about to be passed. His Majesty thanked them for this gracious hint, and assured them, that he should comply with it.

Our sympathy for the fate of Harley is somewhat abated by his ungenerous return to the talents of Dr. Swift, a man, whose name will be remembered with esteem and veneration, when Harley and Guelph shall be alike forgotten or despised in the vulgar catalogue of ministers and of kings. As the whole literary world has felt an interest in the domestic disappointments of this inimitable writer, it may not be improper to observe, that, in all probability, he was indebted for his personal safety to the obscurity of his retreat. Had he been advanced, as we now fondly wish, to a seat on the bench of English bishops, his abilities, his integrity, his inflexible pride, the memory of the past, and the dread of the future, must all together, have marked him out as a superior object of Hanoverian vengeance.

Our Vice-President ought to have turned with indignation and horror from such a government. He has wrote largely in its praise. An encomium on the exploits of Benedict Arnold in Virginia, should not be more repugnant

to the feelings of an American than the *Defence* of Mr. Adams. The motives for this persecution of Harley were most exceptionable. It has been affirmed by two or three thousand historians of the whig party, that the last years of the reign of Anne were *the worst of times*. This epithet may, with more justice, be transferred to the first year of the reign of her successor. To enumerate the additional list of victims who were sacrificed to whig ferocity, would exceed the present limits. *The fatal cessation of arms! The disgraceful treaty of Utrecht!* was the peal incessantly rung in the ears of an insulted, an oppressed, and an indignant nation. Lewis the Fourteenth was an antagonist kneeling for mercy, and the Queen of England and her tory ministers forbore stabbing him to the heart. This was that unpardonable crime, which filled so many bosoms with horror, and so many tongues with reproach.

The politicians of America are fond of calling themselves *whigs*. Perhaps they may bring the word into credit; but in the old country it has, with a few exceptions, been always the badge of knavery. The boasted revolution of 1688 was, with respect to its leaders, a mere job, of which full evidence may be found in the *Political Progress of Britain*.*

The following particulars will shew the inside of the British government, and may instruct Americans in the happiness of their escaping from a hereditary Senate, and the royal family of Braintree.

On June 9th, 1714, Harley sent to the Queen a brief state of public affairs. A single paragraph may serve as a

* That Whig divinity William the Third was one of the vilest characters in history. He acknowledged to Burnet, what was known to all the world, that he lay under the utmost obligations to John de Wit. Yet when this great man and his brother were surrounded by a mob in the prison at the Hague, William refused to send a single soldier to their assistance. It has been often asserted that he was in the secret of that insurrection. His benefactor perished almost under his eye; and the horrors of the scene equal whatever is recorded, even in the annals of the illuminated Jews. On this point, the reader may find information in *Memoirs of the Two Brothers*, prefixed to the *Political Maxims of John de Wit*, translated by John Campbell, Esq; and published at London in 1746.

specimen of the strength of national credit when he succeeded to the whigs. "The army was in the field; no money in the treasury; none of the remitters would contract again; the bank had refused to lend an hundred thousand pounds to Lord Godolphin, *on very good security*. "The navy and other branches of service were *eleven millions in debt*, which enhanced the price of every thing proportionably; the civil list was in debt about six hundred thousand pounds; and the yearly income too little for the current certain expence by the lowest computation, one hundred and twenty-four thousand four hundred and ninety-five pounds, two shillings and fourpence."* This account may be exaggerated, but affairs must have been horribly bad, when they admitted of such exaggeration. Harley knew that his assertions were to be examined by his enemies, who understood the business just as well as he did. In the same paper, he proceeds to specify that, within a few months after coming into the cabinet, he had raised sinking credit, and had prepared funds for discharging nine millions of the public debt. What follows may discompose your gravity. "Harley gave offence to some of his fellow-servants, who told him plainly, that he ought to have told his secret, and if he would not get money himself, he ought to have let his friends share an hundred thousand pounds, *which would not have been FELT or FOUND OUT, in so vast a sum as nine or ten millions.*"

As to the situation of public credit when Godolphin was removed from his employment, we may also consult Dr. Swift. "I could never," says he, "learn, whether that Lord had the smallest prospect of clearing that incumbrance, (the navy debt) or whether there were policy, negligence, or despair, at the bottom of this unaccountable management; but the consequences were visible and ruinous; for, by this means, navy bills grew to be *forty per cent.* discount, and upwards; and almost every kind of navy stores, bought by the navy and victualling offices, cost the government *double rates, AND SOMETIMES*

* Tindal, vol. x. p. 290. It is painful to reflect, that a person of abilities, like Oxford, should find himself placed in so ridiculous a situation. His memorial was addressed to a silly woman, whom he could not have entrusted with the duties of a chambermaid.

“ MORE ; so that the public hath directly lost several millions upon this one article.” *

The character of those allies for whom England suffered such imposition deserves next to be considered. In a memorial presented to the Queen by the Commons, about the beginning of the year 1712, we are informed, that though the invasion of Spain was undertaken at the earnest and particular desire of the Imperial court, and for a cause of no less importance than the restoration of the Spanish Monarchy to the House of Austria, yet, till the preceding year, they had supported only two thousand infantry at *their own expence*, while England, in the course of seven years, had sent no less than fifty-eight thousand men, besides thirteen German battalions, and eight squadrons, for which she *paid a subsidy to the Emperor*. They close a long detail of enormities by asserting, that the nation had expended above nineteen millions sterling more than its share of the expences agreed upon by treaty. They cast the whole blame of this misconduct on the whig ministers.

On the other hand, the committee of secrecy, appointed by the whigs in 1715, discovered that large sums of public money had been converted to the private use of Harley himself. † By this expression, it can only be understood, that the committee could not trace this money farther. Part of it, and most likely the whole, must have been employed in the purchase of rotten boroughs, peers, and *independent* country gentlemen. From such a scandalous reckoning, we know not what to believe. One conclusion seems evident, “ That, between two thieves, Whig and “ Tory, the nation has been crucified.” ‡

If any further proof is required, as to the dissipation of public money, Dr. Swift affords an ample attestation. His *Project for the Advancement of Religion*, has this remarkable passage. “ The many corruptions at present, “ in every branch of business, are almost inconceivable. “ I have heard it computed by skilful persons, that of six “ millions raised every year for the service of the public, “ *one third, at least*, is sunk and intercepted through the “ several classes and subordinations of artful men in office,

* Four Last Years of the Queen, Book iii.

† Tindal, vol. x. p. 300.

‡ Burgh's Political Disquisitions, vol. i. p. 402.

“before the remainder is applied to the proper use.” A merchant or manufacturer must certainly feel satisfaction in parting with his quota of the customs, or excise, when he knows that the money is to be shared by such a band of plunderers. In the same tract the Doctor says, “I could name a commission, where *several persons*, out of a salary of five hundred pounds, without other *visible revenues*, have lived at the rate of *two thousand*, and laid out *forty or fifty thousand* upon purchases of land or annuities. An hundred other instances of the same kind might easily be produced.” Sir John Sinclair computes the cost of this war at upwards of forty-three millions sterling. The House of Commons, as above quoted, say, that England spent above nineteen millions more than her share. Dr. Swift in his *Conduct of the Allies* affirms that the monied men got six or seven millions as premiums. He also says that one-third part of all public money is sunk in management. The account will then stand thus.

Total expenditure on the war,	£. 43,000,000
Of this sum, overpaid to allies, £.	19,000,000
To stockjobbers,	6,000,000
One-third of the whole expence pilfered by persons in office,	14,000,000
	<hr/>
	39,000,000
Really applied to public service,	£. 4,000,000

Take the compound interest of thirty-nine millions at five per cent. from the 31st of December, 1710, to 31st December, 1796. The principal doubles itself exactly six times. If the money had therefore been placed at interest it would, at this day, have augmented to two thousand four hundred and ninety-six millions sterling. This is at least double the worth of the whole British Island, if it could be sold at auction. Mr. Morgan, in his *Facts addressed to the People of Great Britain*, quotes Pitt as having lately estimated the whole landed and personal property in that island at thirteen hundred millions sterling. Mr. Morgan gives many reasons for thinking this estimate very much exaggerated. These observations prove the folly of the British government, and the impropriety of holding up that system as an object of praise.

The exposing of such a mass of corruption will help the public to solve this interesting question, *Whether it is possible that an American ambassador at the Court of London is in danger of being offered a bribe?* Peculation is at that court engrained on the front of every other part of public business. Sir John Sinclair above quoted quarrelled with his friend Pitt because he could not get in to be a Commissioner of excise, or some other placeman. In his history of the revenue, he complains of being refused information at public offices, and he explains in a very frank style, several of Pitt's blunders. He stood under the standard of Sheridan for a long time, but has now become peaceable, and has no doubt discovered the justice of the French war, on receiving five hundred pounds sterling a year as President to the board of agriculture. A minister, who is thus in the habit of buying consciences by the hundred, will certainly think of such an expedient with an American envoy. Nothing in this supposition alludes to our federal Fabricius John Jay. The advantages secured to this country by his treaty are enormous. One of them is likely to be a war with France. Hence it is more probable that Jay bought Grenville, than that Grenville bought Jay.

While Americans are surprised at the corruption of British ministers, let us look for one moment at the administration of Pennsylvania since the peace of 1783. It has already been stated that the assembly thought fit to seize the whole property of Penn. The last inch of that immense estate is long since completely gone. In September, 1794, a session of the assembly was held chiefly about the western business. It was there stated, that the land office of Pennsylvania had sold several millions of acres more than was contained in the whole surface of the state, the rocks of the Allegheny and all together. The exact overplus could not be told, but it was guessed at two or three millions. An alarm was instantly taken and an act passed for stopping farther sales. When the Penn family disposed of land, they did so in small parcels, and for its full worth. It is probable that the sales of the patentee would not have been completed for half a century to come. At the end of the war the population of this state was about eight persons to a square mile. In spite of colonies that have been daily going down to Kentucky,

there are at present about twelve persons to that space; but Pennsylvania could with great ease hold thirty. Hence it was not for want of room that the lands were sold off in such haste. There must in this affair have been something of what Shakespear calls *behind the door work*.

How many acres the state did actually sell, since the forfeiture of Penn, cannot at present be stated. When the war began, probably not more than a third part had been sold off. The remainder would have been somewhere about twenty millions of acres; but let us conjecture that the state had upon its hand ten millions of tolerable soil. This may be more or less than the fact; and it is not material to the point. The mode of conducting the sale, and not the extent of it, forms the object of censure. When Mr. John Penn sold the Wyoming lands, he received thirty pounds currency for each hundred acres. At this price the ten millions would have brought into the treasury of the state three millions of currency. This sum could not have been had instantly, but the gradual sales would have brought in money as fast as it could be reasonably wanted. The best way to dispose of these lands might have been by a quit rent, if American farmers could be satisfied with that kind of tenure. This would have brought in an annual revenue of perhaps a million of dollars, a sum sufficient for making canals and highways all round the country. Government might then have purchased arms for the militia, and hindered the college of Carlisle from tottering above the heads of its professors.

It is hard to see what honest reason the state can give for leaving the claimants of Luzerne to encounter an army of lawsuits. An hundred thousand guineas, and a century of victorious litigation, would not drive out the Connecticut colony. The attempt is like thrusting a needle into the rump of a rhinoceros. But as government had seized the whole estate of Mr. John Penn, they were bound in justice to pay his debts, and if they shall ever attain a true sense of equity, they will be sure to do so. If the claimants had now a writ of universal ejection, the country would once more get into a civil war. The settlers would not quit their lands without bloodshed, and it is very doubtful whether the militia would fight against them. They were formerly brought into the field with reluctance, and, under

their footpad commander, behaved but indifferently. Their language was that they would not fight for land jobbers. The journals of the assembly, at the time of passing and repealing the Confirming Act, are admirably fitted for raising such scruples. Thus the assembly below stairs, by a majority, and after violent debates, pass an act. The council of censors above were at the same time, by another majority protesting against it, in various forms, and in the strongest language of abhorrence. It is impossible to keep from smiling when you read some of the polite productions on both sides. Each party, *by a majority*, declared the other unfit to be trusted. Addison says that Virgil tossed his dung with dignity. A similar commendation was not always merited by the assembly and the censors.

In scolding, the British parliament could furnish them with an happy precedent. About five years ago, Mr. George Rous, a member of the last parliament, published a letter, addressed to Mr. Burke. In page 119, he says, "Does not the whole *effective* power of raising money reside in the Ministers of the Crown? What edicts of taxation have our Parliaments refused to register? Or when did they even name a Committee to inspect the public accounts, *that the list was not prepared by Ministers?* Have not the present Parliament voted eight hundred thousand pounds *per annum* of additional taxes, almost without the compliment of a debate? Yet when the Spanish convention was concluded, when the subject had passed into history, *Did they not refuse to investigate how far the expenditure of FOUR MILLIONS was necessary?*" What an abyss of imposture yawns before us in these concise queries?

In the year 1770, Sir George Saville said, in the House of Commons, "This House hath betrayed the rights of the people." He was called to order, and *the Tower* was mentioned with some emphasis. Sir George replied, "that *he never employed any other words*, when he spoke of the proceedings of the House on the Middlesex election, and "that *he would always use the same words.*" This was upon the noted case of Wilkes and Luttrell. Serjeant Glynn defended the words. He observed, that they were the only words proper to express an idea of the transaction; with much more to the same purpose. Edmund Burke said,

“ that Ministers were conscious of the truth of the assertion, “ and therefore *crouched under it.*” He said, the people abhorred the present Ministry, and asked the Speaker, *If the the chair did not tremble under him?* To complete the scene, Sir George rose again, and said, “ Standing in my place as “ member for the County of York, I do declare, that the “ House of Commons *has betrayed the rights of the nation.*” There has not elapsed a Session for an hundred years past, without some squabble of this sort, in the proper style of a gang of house-breakers debating about the division of their booty. The charges of falsehood, sedition, despotism, are alike refounded from both sides of the House. It would be ungenerous to disbelieve either party; they are in habits of intimacy, and know each other perfectly well. But there is one question which, by leave of Mr Adams, the reader may resolve at leisure, whether it is necessary for the welfare of a great people that they should be governed by a British Constitution?

Our American ministry, who are so much scandalized at the wickedness of France, may from these anecdotes confirm their confidence in the virtues of Britain. If a war ensues with the republic, the imprudence of our present secretary to the treasury must bear a part of the blame. He has countenanced a pamphleteer who constantly heaps on the French unfounded abuse, and who is now reviling the French ambassador. If Mr. Wolcott wanted a war between the two countries, this is the very way to hasten it. With respect to citizen Adet, Mr. Wolcott received, a few months ago, some friendly hints.* They have not been successful. On the 26th of November, 1796, the Philadelphia Gazette contained an advertisement of *The Diplomatic Blunderbuss*, a pamphlet attacking Citizen Adet. The title-page mentions “ his famous *cockade* proclamation.” This is a personal attack. When a Spanish Ambassador went lately to France, some marks of disrespect were shewn on account of his dress, and of his being decorated with some orders of knighthood. The directory, so far from encouraging this rudeness, published an official admonition against it. What a miserable contrast is held up in our Connecticut cabinet. If Citizen Adet has acted improperly, to irritate

* British Honour and Humanity, p. 55

him by scurrilous pamphlets is the height of folly. When the writer of the *Blunderbus* published, in September last, an account of his being on good terms with Mr. Wolcott, the latter should have taken some way to convince the public that the accusation was groundless. But what was to be expected from Mr. Wolcott, when Alexander Hamilton sent invectives against France to the newspapers? This fact can be proved; and there can be shewn paragraphs of that kind written in the office of the American treasury.

People do not seem to perceive the danger of exasperating Citizen Adet. English prints ascribe the present war between Spain and Britain partly to incivility from Lord Grenville to the Spanish Ambassador. The citizens of Frankfort felt unusual alarm at the approach of the French, on account, as it is said, of a newspaper of that city, which had been severe against them. The Pope, and the King of Naples, are to pay dearly for having insulted French Ambassadors. America will, in her turn, run the gauntlet of repentance. It is not here said that the *Blunderbus* was written by desire of Mr. Wolcott. But the friends of Britain, and this gentleman in particular, have constantly patronised its author. Nay, such is the dread entertained of the man, that, though several pamphlets have been printed against him, the writers, one or two excepted, carefully conceal their names.

The *Blunderbus* begins with a preface, of which here is the first sentence: "When we see an unprincipled, shameless bully, *a dog in forehead, and in heart a deer*, who endeavours, by means of a big look, a threatening aspect, and a thundering voice, to terrify peaceable men into a compliance with what he has neither a *right* to demand, nor *power* nor *courage* to enforce, and who, at the same time, acts in such a bungling, stupid manner, as to excite ridicule and contempt in place of fear; when we see such a gasconading impudent bluff as this (and that we do every day), we call him a blunderbus."

The person here meant is Citizen Adet. No government in Europe, either free or otherwise, would suffer such treatment of a foreign ambassador under any pretence, even if the two nations were just going to war. An ambassador is a character of a peculiar description. He is placed in a situation entirely different from that of any other person in the country wherein he resides. He bears, as it were, a

flag of truce. Among all civilized, and generally amongst all barbarous nations, he is held inviolable, unless he commits some express act of treason against the government. In that case caution is observed in proceeding against him. This branch of the usage of nations is not exactly comprehended by some citizens. A few historical instances will help to set them right.

When the Cisalpine Gauls besieged a city in Italy, the Romans sent three ambassadors to intercede. They were received with respect in the camp of the besiegers, and suffered to enter the town. Forgetting their business, they joined in a sally. The sequel shews how well the limits of the diplomatic character were then understood. The Gauls immediately broke up their camp, marched to Rome, and burnt it. The previous respect and confidence granted to these envoys proves the veneration in which their office was held.

During the American war, English newspapers teemed with reproaches against the cabinet. They went on with impunity, till some of them published severe reflections against the Russian Ambassador. This was a direct affront upon his mistress, and a precedent for misusing the English envoy at Petersburg. Six or seven editors were apprehended with as much abruptness as if they had been forging bank-bills. They obtained a declaration from the ambassador himself that he had never asked nor wished for their being punished. They published this acknowledgment, and tried but in vain to interest the public in their behalf, by harping upon that favourite string, *the liberty of the press*. They affirmed that it was only picque in the ministry themselves. This was partly believed to be true, and as the affair happened near the close of North's ministry, government had become very unpopular. But all sober men saw the impossibility of living in friendship with any foreign court, if its representative was to be scandalized at the pleasure of newsprinters. Accordingly, the offenders were severely chastised. Had they attacked the Empress herself, they would have been in very small danger. About thirty years ago, the Spanish ambassador presented a memorial, complaining of a piece in one of the prints, that burlesqued the king of Spain. He was told, that the people of England could not be hindered from abusing even their own sovereign. The piece was printed anew in other papers, to let people

see of what it was that the ambassador complained. If the attack had pointed at the envoy himself, the printers would, as in the former instance, have smarted severely. Thus, in England, the character of an ambassador is held more sacred than even that of the king or government which sends him.

Mr. Wolcott and his friends are fond of British precedents. This of the Russian ambassador proves, that for a similar exploit in London, the writer of the *Blunderbuss* would have been instantly sent to Newgate. Were he to receive notice, that he must either let the ambassador alone, or that Mr. Wolcott and the British Tories in Philadelphia would desert him, the public might be assured of his silence.

The last leaf of this pamphlet proves who are the prompters of the man. On one page he advertises a history of American *Jacobins*. On the other he prints proposals for an edition of Mr. Adams's Defence. He speaks of having received a number of subscribers. The language of the party thus runs: "Write libels against the French Ambassador. Call him *'a dog*, and every other scurrilous appellation. Provoke him to be as angry as you can. We want to get into a war with France. To revile her ambassador is the certain way of obtaining it. As a premium for your trouble, we shall subscribe to an edition of the *Defence of Monarchy*."

A cartload of copies of this book were not long since lying in the garret of a bookseller in South Second street. In all likelihood they are still in that place, unless they have been removed to a cellar, or a snuffmaker's store. This discovers that the subscription is but a muster roll of the party, and an expedient for satisfying its great champion. Messrs. Pickering and Wolcott are friends to Mr. Adams. The connection between the *Blunderbuss* and the proposed impression of the Defence will not be denied. From these premises it follows that some of the friends of Mr. Adams wish to exasperate the French minister, and by disrespecting in his person the executive directory, to hasten a rupture with France. This plan is going on at the very time when England has acknowledged the republic, and opened a negotiation for peace. That event has already perhaps taken place, or may happen in the present winter. America is then to be left contending singly with France, or to pay some enormous requisition, as the well earned consequence

of her ingratitude, infidelity, and insolence to her ancient ally.

Our Connecticut ministry must be sensible of the dangerous effects that this *Blunderbuss* may produce. Their friends are too well drilled to support the writer, unless by mutual concert. These allegations are explicit and convincing. Messrs. Wolcott and Pickering are attempting to drive this country into hostilities with France. Mr. Pickering termed opposition to the British treaty a *detestable conspiracy*. Hence the State House yard of this city contained, at one time, five thousand *conspirators*. An enemy may, from the preceding facts, retort this charge, and with as much reason as the Secretary made it.

Citizen Adet has issued some publications which the friends of Mr. Adams do not like. In August, 1699, the Spanish Ambassador at London, gave in to ministry a memorial by which William the third was offended. He did not excite a pamphleteer to call the envoy a dog, but ordered him to leave England. If our executive does not like Citizen Adet, let his recall be solicited, as happened to Genet. The only time within memory wherein the court of London encouraged personal attacks on a foreign minister was at the beginning of the present war. Chauvelin, the French envoy, was incessantly abused in the *Sun*. This newspaper is under the direction of George Rose, a member of Pitt's bacchanalian ministry. At last they ordered Chauvelin to quit England. The French declared war, and England hath since applied for leave to send an envoy to France. This does not form a promising precedent for vilifying French ambassadors in Philadelphia.

The style of the preface above quoted, independent of its exceptionable matter, is very strange. Speaking to the Democrats, the writer says, "silence you yelping devils; go growl in your *dark kernel*; sink into *your straw*;" Bishop White has declared his anxiety to possess a complete collection of the productions of this writer. David Walker, merchant in Philadelphia, is another of his admirers. Dr. James Cunningham, in Chestnut Street, and Mr. Andrew Spence, dentist, are profuse of their encomiums on the same pen; additional names might be cited. In other points, the persons here specified enjoy decent characters. They have no alliance with disrepute unless by their patronage of this writer. They are here no-

ticed merely as a caution to other critics of equal depth. A person like their favorite could not have earned subsistence, by his typographical efforts, in the service of any bookseller in England. Readers of politics in that country have, most of them, a better taste than to peruse such materials, though wrote upon their own side of the question.

Some time ago a gentleman called on Mr. Ellicott, geographer to the United States, at his house in Philadelphia. One of the pieces of the Tory and episcopal favourite was lying on the table. "Do not imagine," said Mr. Ellicott, "that this thing belongs to me, or that I am reading it; for I look upon its author as a very great blackguard." This is the being brought forward to plunge the country into a contest with France.

During the canvassing of electors for chusing a president, the constant cry of the Adamites was that Mr. Jefferson, if elected, would involve the United States in a war with England. Some leaders of that very party are toiling to entangle America in a French quarrel. This is not a blindfolded assertion like that against Mr. Jefferson. The plan is here completely proved. Some people may deny, but they cannot *disbelieve* it.

Mr. Sedgwick spoke of a *refined process* in chusing the president. His friends have not, on the late occasion, exhibited superior sanctity. The continent has rung with this palpable untruth, that every man who voted for Mr. Jefferson voted for a British war. The following anecdotes ascertain what contempt not only of honesty, but of decency has been displayed.

William Brown was one of the fifteen persons nominated in the Jefferson ticket of Pennsylvania. By the first returns from Lancaster county, he had not a single vote. Governor Mifflin, surpris'd at so unusual a circumstance, demanded duplicates of the returns. They were sent, and still William Brown remained without a vote. The Governor sent an express to demand the ballot boxes from the Prothonotary. The Judges of Lancaster were convened, and the boxes were refused; but this bench transmitted an acknowledgement that William Brown had six hundred and eighteen votes. These traits are copied from the Aurora of the 25th of November, 1796. Queer accidents do sometimes fall out at Lancaster. A counsellor, from whom the author had the story, was sent for from Philadelphia

about two years ago, to plead in a criminal cause before a court in that town. After the trial was over, it came out that three of the jury *did not understand English*. Another election trick attempted by "the friends of good order" is related in the above newspaper. *James* Edgar was named in the Jefferson ticket. In the return from Bucks county, he was omitted, and *John* Edgar appeared in his room. The ballot boxes were demanded by the Governor. The prothonotary had not all the ballot boxes, and only those from Newtown were sent. When the ballots were opened, not a single ticket had *John* Edgar upon it; they all bore *James*. On examining the returns from the several districts, only *one* ticket had *John* Edgar. If the Governor had not authority to compel the delivery of the ballot boxes, his jurisdiction is incomplete; and unless an act is passed, empowering him to enforce such a demand, the same frauds will be attempted on the next opportunity. For the sake of example, the offenders ought to be prosecuted, and on conviction, disabled from voting at an election in future. Other unaccountable things have occurred in this contest. The townships of Strasburg and Lampetre, in the county of Lancaster, usually give about seventy votes. The Aurora of the 2d. of December, 1796, states that they gave at the above election between five and six hundred. The number came within *three* of the whole taxable inhabitants.

Mr. Dexter, in his speech about *Salecoats*, launched into a long encomium on the State of Connecticut. Mr. Jeremiah Wadsworth was then a Representative in Congress from that state, and one of the most candid and well informed members in the house. On another day, when a comparison of States was started, this gentleman rose. He felt as much partiality, he said, for his own country as any man. But during the war, he never could discover that any one State was more virtuous than another. The opinion of this able judge of mankind ought to check that self conceit, that contempt for their southern neighbours, for which Eastern citizens have sometimes been remarkable.

The New World of the 30th of November, 1796, contains an essay signed Pelham, which recommends a disjunction of the United States. The Patowmac is pointed out as the proper boundary. One of this man's objections to the fe-

deral constitution is, that slaves were taken into the account, in sending to Congress Representatives from the southern states. By that instrument, members are admitted for three fifths of all the slaves, as if they were freemen.

The first objection to such a disjunction is the extreme prosperity of the country. Matters could hardly be improved, and the chances are ten thousand to one that they would become infinitely worse. Pelham enlarges on the bad treatment of negroes by their masters. Ecclesiastical tyranny exists in many places of New England, and it is as repugnant to the spirit of liberty as that of white people over slaves. The latter is on the way to extinction. An immediate abolition of slavery would, as Mr. Sedgwick once remarked in Congress, be the very height of madness. But an immediate abolition of taxes for preachers could do no harm. The New Englanders are not taking steps of that kind. Virginia led the way in demolishing the despotism of religion, and this presents an equipoise to the abolition of slavery in Massachusetts. The constitution of the latter State, in the declaration of rights, article third, recognizes an alarming power. It says that the people have right to invest the legislature with authority to provide "for the support and maintainance of public *protestant* teachers of piety, religion, and morality, *in all cases,* where such provision shall not be made *voluntarily.*" This principle has opened a flood-gate of robbery. While a New England parson is dragging a baptist to jail, and seizing his cow, he is entirely as iniquitous as any tyrannical master of slaves. Such laws are held in abhorrence by many citizens of New England. *The devilish idea of making converts* was an expression once employed in private by a representative from that country. The gentleman was, at this time, deploring the progress of what he called priestcraft. If his pious constituents had over heard him, it would have been amusing to contemplate their looks.

Americans ought to eye with horror every thing resembling an established church. That of England is supposed to cost about six millions sterling per annum, and does infinite mischief. This is the account of Arthur Young. A few dignitaries roll in luxury, while the great body of the clergy are straitened, and some of them almost starving. What goes to the bench of bishops would support five hundred poor families. The dean and eleven prebendaries of

Westminster get, each of them, five hundred pounds sterling a year. They can find a substitute for the whole dozen at twenty-five pounds a year. "Canon law and ecclesiastical jurisdiction ought to be swept to hell, said Burnet to "Winston; so said Archbishop Grindall, and so say I."* While the people of New England foster a system so dangerous to liberty, they should speak less of slaves in Virginia, and they should not hold up their masters as unfit citizens for a free government. The republics of Greece and Rome were full of slaves. A New England citizen will not say that he is more jealous of his personal honour, more attached to the liberty of his country, than Leonidas, Themistocles, or Socrates. He is not more sociable or good-natured than the younger Pliny, who, in his epistles mentions a sick slave with the tenderness of a father. Martial, who appears to have been an amiable man, wishes for a well fed slave †. General Washington has slaves. He is fit to be an American citizen. Writers against the Southern States commonly introduce an encomium on the President. Pelham does so, and it is an express contradiction.

Pelham urges that the Eastern States might as well send representatives for "three fifths of the whole number of "their horses and cattle." But even then, to be on a level, the same privilege should be allowed for the cattle of the Southern States. The exportations from the latter, and of course the navigation of the continent are much indebted for their augmentation to the labour of slaves. The institution is in itself hateful, but in half a century it will most likely be reduced to nothing. It is a misfortune which can only be cured by time. The granting representation for slaves was only giving to each state a power conformable to its real weight and importance. When the matter had been so fully debated, a constitution settled, and the country placed in a state of prosperity, to break up the union within only seven years after it commenced would be a most signal act of folly. What does Pelham mean to do with the national debt? This essay is copied from a Connecticut newspaper.

Speaking of his plan, Pelham says "whoever shall exe-

* Dyer's Complaints of the poor people of England, Edition 2d. Part 3d. Chap 2d.

† Sit mihi *verna satur*, sit non doctissima conjux,
Sit nox cum somno, sit sine lite dies.

“crate, let the tongues of the democrats be sealed in
 “silence, for the machinations of Pandemonium are out-
 “stripped in the career of guilt by the plots of our demo-
 “cratic fellow citizens.” There are democrats in every
 state of the union, and many staunch aristocrats reside
 south of the Patowmac. The disjunction recommended
 would not serve to separate the sheep from the goats. The
 worst machination ascribed to the democrats was their
 wanting to overturn the constitution. That is the very
 plan espoused by Pelham. “The Northern States can
 “subsist as a nation, a republic, without any connection
 “with the Southern.” [Yes, and so can Nantucket, but
 for what length of time, or with what prospect before it.?
 “When it becomes a serious question, whether we shall give
 “up our government, or part with the States south of the Pa-
 “towmac, no man north of that river, whose heart is not
 “thoroughly democratic, can hesitate what decision to
 “make. That this question is nearly ripe for decision,
 “*there can be little doubt.*” There is very great doubt
 whether any man in America would write in this style, un-
 less he were hired to do so by some foreign enemy. Pelham
 has chosen an excellent season for explaining his scheme,
 when the country is in danger of a French war.

The New York Gazette has an essay dated the 15th of
 November, 1796, signed William Wilcocks. This piece
 conveys an attack on Citizen Adet. It contains this
 sentence: “To imagine that we will tamely suffer any
 “*foreigner*, however distinguished by title or *office*, to insult
 “our magistracy, or to exercise the little and infamous
 “intrigues with us, which are practised upon the *wretched*
 “and *illiterate slaves* of Europe, is if possible a greater de-
 “ception.” The allusion cannot be mistaken. Has the
 French ambassador insulted our government? No such
 thing appears. He differs in opinion from them. He is
 very angry at them. But if this is to be called insult, di-
 plomatic business must be at an end in every part of the
 world. The citizens of the United States are highly ob-
 liged to Citizen Adet for publishing his recent correspon-
 dence with Secretary Pickering. Information is always a
 good thing. Who are these *wretched* and *illiterate slaves*?
 Or would any one but a madman speak in this way of an
 hundred and fifty millions of people? What infamous in-
 trigues has the French ambassador practised? We know

that Mr. Hammond, the late British envoy, hired a man in Philadelphia to write incendiary pamphlets against the French nation, and against all their friends in America. Citizen Adet has not adopted such expedients. "Americans," he says, "when put to the test, will rally about the standards of law and constitution. A most powerful and blating evidence of this was given to the *disorganizers* upon occasion of the debates in Congress on the late treaty with Great Britain, and signally in the case of the Pennsylvania rebellion."

Pennsylvania then comes in for her share of the dusting. "That insurrection should appear in that *heterogeneous* state, is not surprising, when it is observed that they have had in high offices, and still continue to retain therein, men, who at the time of that rebellion, *With Mr. Randolph (the precious confessor) at their head, were BALANCING to decide on their party! Men, by whom with some thousands of dollars, the Republic (of France) could have decided on civil war or peace! Men, pretended PATRIOTS of America, who already have their prices!* Well might Mr. Fauchet exclaim, what will be the old age of this government, if it is thus early decrepid?"

New York has as great variety in the sources of its population as Pennsylvania; and this is no cause of reproach to either state. The words in Italicks are quoted from Fauchet, which leads to some remarks on his dispatches and certificate.

America is now rid of that envoy. The party in France who sent him here have been overturned. He may be spoke of without risk of offending the republic. His dispatch, No. 10. sets out with announcing that he had wonders to tell, and ends with telling almost nothing. It is a model of froth and impertinence; and affords a good explanation why he was recalled. In No. 6, after telling that he had been solicited for money by Mr. Randolph, then American Secretary of State, he adds, "I shall draw myself from the affair by some common-place remarks, and by throwing myself on the *pure and unalterable* principles of the republic." Of these principles, as they existed at that time, we have seen a specimen in the report of St. Just*. Fauchet, in using such a stile, acted as Mr. Hammond

* Supra, Chap. 2.

would have done, if he had sent home to Pitt a lecture on packed majorities and rotten boroughs. This passage evinces that Fauchet has frequently shot with the long bow. His design seems to have been to draw money from his masters under pretence of bribing people in America. Just before the above extract he says, "It was impossible for me to make a satisfactory answer. You know my want of power, and my defect of pecuniary means." This is a clear intimation that he could do something important, if he had the command of proper funds. His real object undoubtedly was to get the handling of some cash. He knew that work of this kind was going on in Europe, and he naturally inferred that America would be thought worthy of purchase. When a republic such as Genoa received ten millions of dollars in bribes, undoubtedly the United States would be worth more or less. To ensure getting money, he sets us down very cheap. *Some thousands of dollars* were to have overturned the present government.

The dispatch, No. 10, is full of palpable fictions. The friends of Alexander Hamilton should not wish to advance its credit, for Fauchet has every where painted both him and them in the worst colours. Though many passages are very confused, and obviously shew that the ambassador was digging intelligence from his invention, yet the desire is always uppermost to blacken Mr. Hamilton and every person connected with him. Thus in section twenty-second, Fauchet has these words: "It is asked of what use are fifteen thousand men in this country, in which *provisions are scarce*, and where are to be seized only some turbulent men at the plough? Those who conducted the expedition knew this. The matter is *to create a great expence*; when the sums shall come to be assessed, *no one will be willing to pay*, and should each pay his assessment, it will be done in *curfing* the insurgent principles of the *patriots*."

This extract offers a fair sample of the envoy. It is full of untruth and nonsense. As to the scarcity of provisions in the western counties, Fauchet contradicts himself. In the twelfth section he had said "the *abundant* fruits of their labour run the risk of perishing for the want of means of exchanging them.—They therefore convert the *excess* of their produce into liquors."

The President, and after him Governor Lee of Virginia, conducted the expedition. It is absurd to say that they, or

Alexander Hamilton, or any body else in the army wanted to *create a great expence*. This was a ready way to make excise, and its father Mr. Hamilton, unpopular. He wished for an exertion of government, but surely not for a needless waste of money. The expence was not to be defrayed by an *assessment*, so that there could be no room for curbing it in that shape. No patriot has insurgent *principles*. Here the envoy works himself deeply into nonsense, or rather into jargon. We shall leave him there.

Again, in the tenth section, he pretends that the Executive did not want the Mississippi to be opened, and gives Mr. Izard of the Senate as his informer. It is hardly possible that Mr. Izard ever spoke such a thing. The subsequent Spanish treaty shews that the accusation was entirely unfounded.

“ Why reserve to sell or *distribute* to favourites, to a clan of flatterers, or courtiers, that which belongs to the state, and which should be sold to the greatest possible profit of all its members.” Section eleventh. The friends of Alexander Hamilton will certainly pronounce every word of this paragraph to be untrue; they want to recommend the veracity of Fauchet when he impeaches Randolph, and to disown it when he impeaches Hamilton. On the same subject Mr. Paine says, “ Prosperity mixed, even in the blossom, with the germ of corruption. Monopolies of every kind marked your administration, almost in the moment of its commencement. The lands obtained by the revolution were lavished on partizans; the interest of the disbanded soldier was sold to the speculator; injustice was acted under the pretence of faith; and the chief of the army became the patron of fraud.”*

In section fifteenth, Fauchet speaks of “ the very pacific union of the counties in Braddock’s field.” It was neither *pacific*, nor an union of counties.

In section eighteenth, Fauchet says that Mr. Hamilton wanted to accompany the President on the expedition, and that the latter *dared not to refuse him*. This is not true.

“ The Governor of Pennsylvania, of whom it never would have been suspected, lived intimately and publicly with Hamilton.” [And why not?] Though they had different opinions in Philadelphia, it would have been very

* Thomas Paine to George Washinton, p. 7.

strange to exhibit these, in a breach of common civilities, when they were jointly employed to suppress an insurrection.] “Such an union of persons would be matter sufficient to produce resistance in the western counties, even admitting they had not thought of making any.” Section twenty-first. Mere nonsense.

Speaking of Mr. Hamilton the envoy observes that “the *monarchial* system was interwoven with those novelties of finances, and that the friends of the latter favoured the attempts which were made in order to bring the constitution to the former by insensible gradations. The writings of the influential men of the party proved it; their real opinions too avow it, and the journals of the Senate are the depository of the first attempts.” Section fifth. The friends of our ex-secretary will deny all this. They do not believe one sentence of the dispatch, but the single passage that impeaches Mr. Randolph. This mode of believing is extremely convenient for the ends of a party; but when a man has just told ninety-nine lies, he has no title to credit in his hundredth affirmation.

This subject will be farther discussed in the next chapter. The present shall close with some circumstances mentioned chiefly for their singularity. Fauchet says above that the Hamiltonian system of finance is designed to introduce *monarchy*; and so have thousands said before him. Mr. Adams has been supported as a candidate for the presidency by that party of which Mr. Hamilton is the prime mover. Mr. Adams has wrote a defence of *monarchy*, for that is the real object of his book. This combination of opinions proves that the Aristocrats † want to make Mr. Adams KING. No true-blue democrat will entertain a doubt of it.

The writer of a recent series of papers called the *Federalist*, designs to recommend Mr. Jefferson as President, in opposition to Mr. Adams. In No. 10th. he speaks thus. “That gentleman (Mr. Adams) will never hesitate to admit, that he has often spoken of the *funding* system as *certainly* to bring upon this country evils *the most extreme*. There is not

† They are here and in other places called so merely for want of a better name, and to avoid circumlocution.

“ a citizen of *equal consideration* in the United States, whose
 “ sentiments upon *the funds* and *the bank* are more opposed
 “ to the opinions of every person, whoever has been, or
 “ now is an officer of the treasury department.”

Thus the conspirators aforesaid wish to make a person president, who, if he was able to do so, would kick their favourite system out of the country. The Federalist is not a man who would make such assertions without being able to prove them. They have not been denied, and they never will be so. Now, can any man in his senses believe that the aristocrats would wish to invest Mr. Adams with *hereditary* power, or to make a king of the person who is a mortal enemy to their favourite plans of finance. What may be the private wishes of Mr. Hamilton are best known to himself. Perhaps he might be persuaded to accept a federal diadem; but surely he never would consent to place his financial antagonist in that situation. The supposition that he wants to make Mr. John Adams a sovereign implies an absurdity. It is a conceit which almost no possible degree of evidence could make worthy of belief. Thus ends the Hamiltonian conspiracy for introducing an American Monarch.

On the other hand the Adamites charge Mr. Jefferson with antipathy to the present plans of finance. This accusation produced the above retort from *the Federalist*, who goes on thus : “ Let all who are concerned in their *estates* and
 “ *political interests* consider and examine *well* into this *highly*
 “ *important matter*. [The passage last quoted]. The fact
 “ *is absolutely true*, and the importance of it is *immense*.
 “ These *strong* observations proceed from no malignity to-
 “ wards Mr. Adams, but from a *long reflected and settled*
 “ *opinion*, that *the great financial operations* of this Govern-
 “ ment, were *wise, necessary, and inevitable*.”

Thus we find that this writer, though opposed to Mr. Adams, bestows praise upon the plans of Mr. Hamilton. This is a strong presumptive proof that they are, at least in a great measure, approved by Mr. Jefferson, and that the charge made as above against him is without foundation.

The most incredible suspicions and inferences are assumed on both sides. No two thinking men in America have exactly the same set of opinions upon every political topic. You may as well expect to meet with two faces as with two minds which are perfectly alike. Yet a fiery politician

stigmatizes every man who dissents from an iota of his creed with the most extravagant and criminal projects. "You will go safest in the middle," said his father to Phaeton. Truth seldom lies in extremes.

Civis, a correspondent in the Gazette of the United States, of the 3d of December last, has quoted a long passage from letters published by Mr. Adams, while in Holland. No composition can breathe a more pure and ardent spirit of republicanism, none can do higher honour to its author, as a political writer, and a friend to America, than this extract. *Civis* concludes by some remarks of his own. "There can be no doubt," he says, "that the French government is endeavouring, by intrigues, *corruption*, *menaces* and *seduction*, to obtain domination over the United States." The only evidence on this head comes from Fauchet, and he attests that he had no money to corrupt any body, and that the Republic scorned such proceedings. Again, *Civis* speaks of "A FACTION, composed of old *tories*, and foreign emissaries, the emanations from the *dunghills* of jacobinism in France." The latter assertion is very erroneous. The old *tories* all over the union have been, with a very few exceptions, in favour of Mr. Adams. Surely this writer is not ashamed of such useful friends. Whatever honour or disrepute can be derived from these allies, must belong exclusively to the Vice-President. In this class are to be found men as virtuous as in any other. To brand them in the mass as corrupted and bad characters is to the utmost degree unreasonable and absurd. No man can help his opinion. It is only when opinions break out into unwarrantable *action* that they become a source of reproach. But as the *tories* are staunch friends to Mr. Adams, coarse usage on the part of *Civis* is ungrateful and impolitic, as much as it is illiberal. In these letters, Mr. Adams speaks of the British government with the utmost detestation. He remarks that the history of ministerial and parliamentary *tricks* to deceive the people of America, would fill a volume. He mentions the British parliament as *the most corrupted* in the world.

CHAPTER VII.

Explanation to the Reader. Imperfect state of American History since 1783. Findley. Brackenridge. Addison. Hopkinson. Want of Monthly Publications. First Congress at New York. Oddities of it. Female Levees. Overstrained Eulogiums on the President. Fauchet. Defence of Democratic Societies. Strange remarks upon them in Congress. A Turkish Democrat. Escape of the Federal Constitution in November, 1794. Fauchet and Randolph. Scheme of Hammond and Wolcott. Artifice and Rancour of the Connecticut Ministry. Conduct of Fauchet.

THE first plan of this work was to give one chapter on the proceedings of Congress, and one alternately on miscellaneous occurrences, till we had got entirely through the session. A summary from that period to the end of the year 1796, would have completed the undertaking.

This design was adhered to till the close of the fourth chapter. The congressional narrative should then have been resumed, where it had stopt on the 25th of January, 1796. An accident as to manuscript forced the alteration of this arrangement for one or two chapters. The rule being once broke through, it is proposed to clear off a quantity of miscellaneous materials. The review of Congress, till they rose in June, 1796, will then be resumed and given in one compact body. With that the volume terminates. The continuation to the close of the year 1796, cannot for many reasons, be at present published. The writers of English Annual Registers, on whose model this work has been attempted, are never in a single instance, able to complete the history of a year in one volume, even though their publications seldom or never appear, till six or eight months after that year has expired. When an event of consequence happens, a considerable time often elapses before adequate materials for composition can be collected. Dod-

ley's Annual Register was a well-conducted performance. Yet, during the war of 1775, the accounts from the East Indies sometimes fell behind for three or four years. The delay seems to have arisen from want of proper intelligence. Defects of that sort occurred in every volume. Similar causes have, in the present work, produced similar effects, though upon a lesser scale.

Another reason made it proper to stop short before the end of the year. The publication would have swelled to an inconvenient size. To make the history of the present year intelligible, it was necessary to go backwards, and explain some characters and events inseparably connected with the proposed narrative. This retrospect became still more unavoidable from the peculiar situation of American history.

Since the peace of 1783, that subject has been imperfectly treated. The detached atoms are scattered on such an immense surface, that it is difficult to collect a regular series of information. Pamphlets have been written on different sides of political questions. They lie open to several objections. Most of the writers anxiously conceal their names. This does not seem fair. A man comes forward with bold assertions of facts advanced sometimes on his own bare authority, and arraigns public characters in the sharpest stile. At the same time he is afraid of being known. Fauchet, in his dispatch, No. 10, says, that Mr. Taylor, a senator, wrote in spring, 1794, three pamphlets against the financiering system. This was more than the public formerly knew. When facts are asserted without evidence, the world have a right to the author's name, that they may be qualified to judge what credit is due to his personal testimony. Mr. Findley and Mr. Brackenridge have printed histories of the western insurrection. Their characters are known. Hence a reader is able to estimate the credit due to their books. By the way, Mr. Findley has every where condemned the conduct of the rioters. He has been again chosen to a seat in Congress. The newspapers say that he had every vote in his district, excepting five or six. This unanimity strongly proves what his history had asserted, that the great body of the westward people highly disapproved of the disturbances. Referring to what has already been said as to emigrants, it may be observed, that Mr.

Findley is a native of Ireland, that Mr. Brackenridge is from Scotland, and that Judge Addison, who, at that crisis, gave a much admired charge to a grand jury in the western countries, is likewise a Scotfman.

The want of knowing an author's name is almost always a defect. Hence, in England names are often fabricated. "I do not like a book without a name," said the late Andrew Miller of London, to an author who had fold him a manuscript. "Give me ten guineas additional," answered the writer; "I will revise the piece, and prefix *my* name." "That wont do neither," rejoined the bookfeller. The consultation ended with coining a name. Guthrie's Geographical Grammar was not written by William Guthrie. When he was dying, Mr. Knox, a Scots bookfeller in London, undertook it, and obtained leave from Mr. Guthrie to call it his posthumous work. These anecdotes shew the supposed necessity in England for a name. When an American pamphleteer keeps himself in the dark, he is like other people in a similar situation. He must be apt to do and say things which will hardly bear the ight. It sometimes however happens, that a writer, without giving his name in the title-page, has made it effectually known. He does not come under the exception above stated.

Another blemish in many American pamphlets is the violence of their stile. By this they lose some of their credit. In Britain, parties hate each other, and expose the faults of each other, as frankly as in the United States. But in proportion to the quantity of writing, there is not the same profusion of vulgarity. The late Judge Hopkinson of Philadelphia, attempted to rectify this failing. As a master of ridicule, he may stand on the same shelf with Swift and Voltaire. His endeavours did not succeed, if we may judge from what follows: "That lump of walking tallow streaked with lamp-black, that calls itself Samuel F. Bradford, has the impudence to say that my wardrobe consisted of my old regimentals."* This is the stile of the most popular writer now in America.

A third objection to some of the pamphlets above-mentioned is, that they make an imperfect allusion to many

* Political Censor for Sept. 1796, p. 69.

circumstances not generally known, and their ambiguous hints perplex instead of informing.

A pamphlet is generally soon lost or forgotten. America has not any periodical publication of much consequence, excepting newspapers. These often give facts in so detached and inaccurate a way, that it is difficult to digest them. In Britain, a compiler has at hand twenty sets of monthly magazines. Some of them give an account of every new book. Debates in parliament are constantly published, and always at least one Annual Register. Hence, to write a tolerable history of England, for the last forty years, is an easy undertaking. In the United States, every thing is otherwise. The Columbian Magazine of Philadelphia, and the American Museum, were both given up for want of proper support. A great part of the debates of the Convention in 1787, and of Congress since that time, have never appeared in print. No single book gives a regular and copious detail of those events which produced and accompanied the forming of the present constitution. The skeleton account of Dr. Morfe is just better than nothing.

For a few years past, materials may be found with less difficulty; but in a country where so much is read and printed, there might be expected some decent history of the last fourteen years. Mr. Alexander Hamilton could well execute this task, if he chose to curb his temper, and to forbear dubbing as *conspirators* people not worse than himself. A stranger on landing from Europe, is assailed with accusations of the way in which the public debt has been arranged, and of frauds said to be committed on the late continental army. He enquires for evidence, and can meet with few particulars, but what are floating in conversation. To wade through a mass of newspapers is impossible. No book of much importance, recording a chain of facts, has appeared on any side.

The history of Congress at New York would form an entertaining narrative. Mr. Adams behaved there in a singular way. He had but lately been ambassador at London. The system of stars and blue ribbons run fresh in his head. He used to come in great state, every day, to Congress with a coach and footmen. When he walked, it was with his hat under his arm, and a sword by his side. The President himself had signified that he was to accept no

salary, but his household expenses. Before his arrival, a house had been prepared for his reception at the public charge. Splendid furniture had been purchased, and sumptuous entertainments were provided under the idea that they were to be deducted from the salary to be assigned by law. General Washington despised this foolery. He refused to wash his hands in a silver basin. To his attendants he signified that he was a plain man, and loved simplicity. He saw no use for such parade. When he was to be installed as President, much consultation was held about what title he should bear, whether the *illustrious*, the *most serene*, or some such name. General Washington would accept none of them. He avoided, with marked diligence, all those airs of ostentation assumed by Mr. Adams. While Congress sat at New York he was seized with an illness, and Mr. Adams is said to have betrayed symptoms of satisfaction at his approaching chance for the Presidency. Perhaps he never did so; but undoubtedly a coolness exists in that quarter. Mr. Adams has been Vice-President for seven years, and General Washington has never treated him as an executive officer. He has not consulted Mr. Adams, nor participated the official business with him in any form whatever. He has held him exactly as president of the Senate, and thirty-five thousand dollars are too much for the duty required by that office.

N. B.

When Congress first met at New York, they lived in a high style of expense and dissipation. This proved inconvenient to individuals, and unsuitable to the humble situation of public affairs at that æra. The former behaviour of British officers at New York was held out as a pattern. Mrs. Washington, Mrs. Knox, Mrs. Hamilton and other women held female levees. One reason given by some friends of Mr. Jefferson for preferring him as President is, that he has no son. He is yet young enough to have ten sons; but he has at present no wife; so that, for sometime at least, the country would want the burlesque of a female levee. The legislators at New York set out like children with a new rattle. They did not know how to make noise enough. By degrees they began to cool. Their wives, Mrs. Washington excepted, became contented to see their acquaintances in the old way. Mr. Adams resumed his ante-diplomatic habit of walking on foot. Many people in New York,

who had bespoke carriages, countermanded their commissions. The strange appearance which Congress at first bore has been fully described in conversation by one of its members. From that source some of these particulars have been taken. The President himself had a principal share in checking the career of folly. For this he deserves great praise; and it becomes the more necessary to bestow it, because his character has essentially suffered by absurd encomiums. *The saviour and father of his country, the man to whom we owe every thing,* are expressions common in company. This is the language of ignorance bordering on idiotism. If the merit of the Revolution could be divided into ten thousand equal portions, it is rash to say that fifty of them would fall to the share of any single person.

Something was owing to John Adams for his activity when ambassador in Holland, and much to Benjamin Franklin as ambassador in France. Thomas Paine, of whom more shall be said hereafter, seems to have as large credit in the revolution, as perhaps any other man. Congress itself was the central instrument. Much was owing to General Green, the Buonaparte of the Southern States. General Gates, and the gallant militia of Connecticut, come in for the capture of Burgoyne, that opening wedge of American independence. The retreat of Clinton from Philadelphia, and the surrender of Cornwallis at Yorktown, were the immediate consequence of a French fleet, a French army, and a French remittance. But for the French fleet Clinton would have relieved Cornwallis. But for the French army, the latter would unaided have been about a match for his American besiegers. But for a French remittance, those American assailants could not have transported their baggage and artillery to Yorktown. In its subordinate parts the revolution was the achievement of perhaps an hundred and fifty thousand individuals, in America, besides the armies and fleets of her allies in every quarter of the world. But for the intervention of France, Spain and Holland, the British could have maintained the war for ten years longer than it actually lasted at less nominal expence than it actually cost them. They never could have subdued the interior country, but they would have kept the sea coast in a state of alarm and desolation. After such a state of facts, nobody pretending to argument will say, what is daily and hourly said,

that America is indebted for every thing to *one* man. The assertion is injurious to every other man who bore a share in the revolution, and to the memory of eighty thousand Americans who are computed to have fallen in the course of it. A general without soldiers does not gain a campaign. Divested of his army, Turenne was but a centinel

We have insensibly dropt into this subject. The reader has already been informed of the course that will be pursued in the remainder of this work, that a few chapters will be devoted to miscellaneous anecdotes and remarks, and that it will close with the sketch already begun, of proceedings in Congress during the last session.

In the last chapter, some observations were made on Fauchet's dispatch No. 10. That enquiry is now to be completed.

On the sixteenth paragraph in that piece is founded the clamour against Mr. Edmund Randolph. It has been quoted above an hundred, or probably a thousand times, within the last twelvemonths. Another citation must be tiresome. The subject is here revived from an apprehension that it has never been held up in a just light, and that it is possible to place Mr. Randolph beyond suspicion.

“Of all the governors, whose duty it was to appear at the head of the requisitions, the governor of Pennsylvania alone enjoyed the name of republican: his opinion of the secretary of the treasury and of his systems was known to be unfavourable. The secretary of this state possessed great influence in the popular society of Philadelphia, which in its turn influenced those of other states; of course *he merited attention.*” [This is Mr. Alexander Dallas, author of the Features of Jay's treaty, and of a collection of reports, of which Lord Mansfield is said to have spoken with applause. It has been wisely regretted that this native of the West Indies should have been suffered to hold the office of secretary of state. He *merited attention.* From whom? From the persons over whom he possessed *great influence.* He *commanded attention* must have been Fauchet's meaning, if he had any, which is very doubtful.] “It appears, therefore, that these men, with others unknown to me, all having, without doubt, Randolph at their head, were balancing to decide on their party.” [On what party? Or what, in the name of

common sense can we suppose that they wanted to be at? In Pennsylvania, the arraignment of Governor Mifflin, and the Secretary, is a fable too much despised to require an answer. At the election in October, 1796, General Mifflin was re-chosen without opposition. If this *party* ever had existed, the governor could gain nothing by joining them. He was already at the top of preferment, at least as to this state. A conspiracy for overturning a constitution comes from the *outs*, and not from the *ins*. The same remark occurs in favour of Mr. Randolph. He was Secretary of State. If the Speaker of the House of Representatives was not his equal or superior in rank of office, Mr. Randolph held the third place under the federal constitution. It is insinuated by Fauchet that Mr. Dallas possessed great influence in the Democratic Society of Philadelphia. The members are not to be led by Mr. Dallas, or any individual. The President, in his speech to Congress, on the 29th of November, 1794, was supposed to make an unfavourable allusion to democratic societies. A warm debate ensued in the House of Representatives about framing an answer to this part of the speech. An implication of censure on the societies was finally rejected. In this discussion, Colonel Parker stated that he had the honour to be a member of one society, and that those members of it with whom he was acquainted were among the most respectable in the community. Several of them had shewn a distinguished alacrity in turning out on the western expedition. Mr. Christie said that nine-tenths of the democratic society of Baltimore took up their muskets on this occasion, and marched into the field. In the Philadelphian society, great numbers did the same. Mr. Scott indeed stated, that in Washington county *some* of the leaders of these societies had been leaders of the riots; but people at the distance of three hundred miles, and who are arming themselves to disperse rioters, cannot surely be held accountable for what they do.

Mr. Ames made an ingenious speech against the societies. He complained of the democratic club of Vermont. One reason for their establishment was "the unmerited abuse with which the public papers have so often teemed against the minister of our only ally." Mr. Ames said that this was long after Genet's whole correspondence had been published, and after France had unequivocally disapproved

of his conduct. Genet cannot be defended on any ground but one. It is now understood that he acted agreeably to his instructions. There is a wide difference between accurate reprobation and low scurrility. The latter was employed against Genet; and whether he had been previously recalled or not, the public were indebted to the Vermont society for attempting to stop the torrent. When dismissed he could no longer do mischief, and, in such a case, to continue railing at him was an useless, and not a very reputable way of spending time. Mr. Ames mentioned several other instances of misconduct in the clubs. If he had been accustomed to live in England, he would have considered every instance that he spoke of, as a mere phantom.

Mr. W. Smith read a resolution of the democratic society of Philadelphia, as a proof of their dangerous principles. They objected to the appointment of John Jay, as envoy to Britain. They pointed out various reasons for their doing so. One of these was his having been taken from his office, as Chief Justice of the United States. Thousands of the best informed people in America have, on this last ground, condemned that appointment. Congress, by attempting to censure what they durst not attempt to punish, would have demeaned themselves exceedingly. The third article of the amendments to the constitution prohibits Congress from "abridging the freedom of speech, or of the press." But if people may not give an opinion on a public appointment like that of Jay, this article is erased. It is indeed, like one-half of the constitution, erased by article 1st, section 8th, clause 7th, of that instrument itself. But that *extinction* cannot take place, till Congress shall remove to the Federal City. If the representatives had passed this vote of censure, it would have been precisely saying to their constituents, "We would be glad to break the constitution and punish you, but we dare not."

Voltaire, in his life of Charles XII. relates that a Turkish Sultan came, one evening, in disguise, into a coffee-room in Constantinople. He heard a seaman exclaiming against the Turkish naval officers, and boasting how much better he could have done. This was still bolder than the resolutions of the democratic society, read by Mr. W. Smith; for the members did not allege that *they* were fitter than John Jay for being envoys to Britain. Next morning, the Sultan gave a commission to this man, and by degrees he

became Grand Vizir. Thus, as to freedom of speech, a sultan, discovered more liberality of sentiment than *one-half* of the representatives. The casting vote of the speaker, Mr. Muhlenberg, saved the House from passing this resolution. The doctrine to which it pointed is repugnant to any state of existence above that of a miner in Siberia. Even Pitt and his sedition bills have not approached to such Egyptian darkness of despotism. In spite of his immense standing army, his prosecutions, the British parliament, the aristocracy, and the church at his back, every second number of the Courier or the Morning Chronicle arraigns Pitt, his faction, his principles, and his measures, in the most hostile and exasperating accents of disdain and detestation. A paper like that of the Philadelphian society against John Jay would, at this moment, be passed without fear by any ale-house club in London. But indeed it is believed that no judge in England has, for an hundred years past, been taken from the bench to become an ambassador. The example was highly alarming. The resolutions of the society consist with reason and truth.

The grave authors of the New Annual Register for 1795, term the British cabinet a *mock ministry*. For some years past, the stile of that work has been uniform. The administration are constantly held up as disgracing the places which they fill. The publishers were long ago sent to jail, because one of their shopmen had inadvertently sold a copy of Paine's *Rights of Man*. But England contains men who are neither to be bribed nor bullied into silence. Mr. Miles, a friend to the minister, has lately published the correspondence of M. Le Brun. He says, that Pitt is now "defamed, execrated, and blasted." The power of government is greater than it has been since the Dutch revolution; yet, in defiance of its fangs, people continue to think and to print. After contemplating this scene, let us ask ourselves one question. What would be the condition of American citizens, if the Philadelphian society could be punished by Congress for such a paper? English liberty, in its last stage of degradation, would be ten times superior to theirs. Yet one half of the last House of Representatives pointed at this doctrine. They said, indeed, that they had not power to punish. But in answer to this, Mr. Giles justly remarked, that, if Congress undertook to *censure*, they would undertake to *legislate*. The Senate, in their answer

to the President's speech, pronounced a severe reprobation. An apology for these societies has been taken up in this place unexpectedly. The quantity of invective daily vented against them, demanded an explanation. We now proceed with Fauchet.] "Two or three days before the proclamation was published, and of course before the cabinet had resolved on its measures, Mr. Randolph came to see me with an air of great eagerness, and made to me the overtures of which I have given you an account in my No. 6. Thus with some thousands of dollars the republic could have decided on civil war or on peace! Thus the consciences of the pretended patriots of America have already their prices! It is very true that the certainty of these conclusions painful to be drawn, will forever exist in our archives! What will be the old age of this government if it is thus early decrepid?" [Thus far the Hamiltonians believe every thing that Fauchet says. But in the very next sentence he begins to be a most atrocious violator of truth.] "Such, citizen, is the evident consequence of *the system of finances conceived by Mr. Hamilton*. He has made of *a whole nation*, a stock-jobbing, speculating, selfish people. Riches alone here fix consideration; and as no one likes to be despised, they are universally sought after. Nevertheless this depravity has not yet embraced *the mass of the people*; the effects of this pernicious system have as yet but slightly touched them."

The latter part of this passage contains a notable inconsistency. "*A whole nation*" have become debased. A sentence of bitter invective comes next. "Riches alone fix consideration," &c. In the ensuing period, "this depravity has not yet embraced *the mass of the people*." All this corruption Fauchet ascribes to the agency of Alexander Hamilton. If the first part of the paragraph is true, and deserving of credit, because it comes from Fauchet, the second part is equally so, and taking them both as authentic, the friends of Mr. Hamilton cannot rejoice in the discovery. The dispatch must stand or fall together. Where facts, real or pretended, make their appearance, we must either believe the whole, or reject the whole, unless some foreign testimony comes in to the confirmation of a particular avowment. Regarding Mr. Randolph, nothing has transpired unless through the medium of Fauchet. The dispatch is

full of absurdity and untruth ; and to select a tale, in itself utterly improbable, as the single object of belief, betrays a voracious appetite for calumny, or an extreme unacquaintance with the common rules of evidence.

Dates are the sinews of his story ; and a brief comparison of the dates which occur as to the disclosure of this dispatch by Mr. Wolcott, will demonstrate that a fair discussion never was designed. If impartial investigation had been an object, Mr. Wolcott would have acquainted Mr. Randolph with the affair so early that he could have confronted both Mr. Hammond and Fauchet. This was avoided ; but a short narrative of facts will be requisite for the sake of explanation.

The dispatch No. 10. is dated the 31st of October, 1794. It was addressed by Fauchet to the minister for foreign affairs at Paris. It was put on board the *Jean Bart*, a French corvette bound directly to France. The vessel was taken by an English frigate, and the dispatch was transmitted to the Court of London. Grenville knew that Randolph opposed the British interest, and in this paper perceived the probable means of his dismissal. The dispatch was transmitted to Mr. Hammond, then British Ambassador at Philadelphia, and directions were undoubtedly given to make the best use of it. This minister intimated its contents to Wolcott. In a letter to Randolph, dated October 8th. 1795, Wolcott says, " that Mr. Hammond did not intimate, or request, that its contents might be communicated to the President : it was my suggestion, that the letter ought to be delivered to me for that purpose. "* That the President and the public might see it, could be the only motive with Grenville in sending it over ; and, as it has brought out some curious information, America is indebted to him. Wolcott got the letter from Hammond on the 28th. of July, 1795. The President was then at Mount Vernon. When he returned to Philadelphia, on the 11th of August, the dispatch was laid before him. On the 12th, the British treaty was discussed in the President's house by himself and the three secretaries, Randolph, Wolcott, and Pickering. On every day, Sunday excepted, Randolph had at least one private interview with the President. Not a word transpired of Fauchet, or his dis-

* Randolph, p. 23.

patch. On the 14th of August, the President visited Randolph at his own house, and as he never pays a visit to any body, unless perhaps to a secretary, this was a distinguished mark of confidence. On that day Randolph signed the ratification of the British treaty. On the 15th, the President invited Randolph in the most cordial way, to dine with a select party of friends, and placed him at the foot of the table. On the 18th the same air of hospitality was assumed.* The disclosure was reserved for the 19th. In the mean time Hammond, the bearer of the dispatch, had, on the 15th of August, set out from this city for New York, and sailed from thence for England on the 17th in the morning. The letter was not exhibited to Mr. Randolph till half past ten in the forenoon of the 19th. All chance of being confronted with Mr. Hammond was thus debarred. Of this protracted silence Mr. Randolph justly complains. It is common for a public officer to send duplicates of preceding dispatches. In the letter No. 10, Fauchet refers to some particulars which he had related in No. 3, and No. 6.|| It was probable that along with the former a duplicate had been seized of the latter. The above extract as to bribery has a mysterious air. "Until I saw "No 6," says Randolph, "I could not, *in the smallest degree*, satisfy myself, *how money came to be involved.*"‡ There was a chance that Mr. Hammond could have produced these papers; but by delaying the accusation until he had sailed, this probable source of exculpatory testimony was cut off. It looks rather unkind, on the part of Mr. Hammond, that he should have placed a train of impeachment, and that, in the moment previous to its explosion, he chose to retire. To men of honourable feelings, his retreat at such a crisis must appear extremely sneaking. There is no doubt that he and Wolcott acted in concert to ruin Randolph, and that the discovery was purposely suppressed till Hammond should get out of the way. Fauchet was the only other witness to whom Mr. Randolph could appeal in defence of his character. "My chief resource," says he, "was in an explanation from the writer himself. "But where *was* the writer, when the letter was thought

* Randolph p. 50.

|| Ibid. p. 55 & 56.

‡ Ibid. p. 86

“ ripe for my crimination? Probably on the high seas, or
 “ in France, or, at any rate, three hundred miles distant.
 “ [At Rhode Island.] Mr. Fauchet had long quitted Phi-
 “ ladelphia; and the frigate which was to convey him to
 “ France, waited for nothing but favourable weather, for
 “ passing the British ship Africa.* When Wolcott received
 from Hammond the intercepted letter, he must have known
 that Fauchet had either failed or was on the point of sailing
 for Europe. It was also plain that the shortest and only
 satisfactory way in which Mr. Randolph could, if innocent,
 vindicate himself, was, by following Fauchet, and forcing
 him to give an explanation. But while every moment was
 inestimable to the vindication of Mr. Randolph, while
 Fauchet was hourly expected to sail, Mr. Wolcott kept
 the whole accusation snug in his pocket, from the 28th of
 July, to the 11th of August, in the evening, when the
 President arrived in Philadelphia from Mount Vernon.
 Nay, when the President came to Philadelphia, and more
 frankness and equity might have been expected, the same
 system of concealment was continued. Had the dispatch
 been laid before Randolph, on the 12th, or even on the
 14th of August, he could have got up to Fauchet sooner by
 five days than he did. He could have interrogated this en-
 voy in presence of proper witnesses; and if innocent, he
 could have squeezed out of Fauchet an acknowledgement
 that he really was so. Wolcott and Pickering did what-
 ever lay in their power to prevent an interview between
 Fauchet and Randolph; they laboured to exclude Ran-
 dolph from the benefit of confronting his accusers. They
 deferred the discovery till Hammond had failed. Fau-
 chet, the only other witness or accuser, was at Rhode
 Island, or rather, as they had reason to believe, he
 had failed. Here we may reflect for a moment on what
 were the certain consequences if Fauchet had really gone
 to sea before Randolph had overtaken him. If Randolph
 had wrote to the envoy in France, it is to be doubted if he
 ever had received an answer. A voyage in person must
 likewise have been a forlorn hope. Before either of these
 methods for exculpation could be brought to bear, the cha-
 racter of Randolph must have been ruined. There was in-
 deed the greatest likelihood that, if Fauchet had once set

* Randolph p. 56.

fail, no light ever could be cast upon the business; and hence by a dexterity of manœuvre, the American secretary of state was to be scandalized beyond redemption, and without the smallest chance of an opportunity for affording a vindication. The most artful schemes are sometimes overturned by mere chance. Fauchet had been for sometime at Newport, in Rhode Island, prepared to sail for France, on board of the *Medusa* frigate. The *Africa*, a British ship of sixty-four guns, lay at the mouth of the harbour, and had for a considerable time, prevented the *Medusa* from sailing. The disclosure of the dispatch to Randolph was made on the 19th of August, 1795, and next day Randolph heard that ten days before, the "*Medusa* had not failed."§ He should have got himself ready in half an hour, to set out for Rhode Island, and to save his character from destruction. Inertness or infatuation has distinguished almost every part of his behaviour in this business. He lingered in Philadelphia till *the afternoon* of the 21st. He says that a disappointment in *some necessary papers*, and other *unavoidable causes*, hindered him from reaching Newport till Monday, the 31st of August. If the *Medusa* had failed before his arrival at that place, the slowness of his movements must have satisfied all mankind that Randolph was afraid of getting up to Fauchet. He at last reached Newport, and, as he says, called on Fauchet between eleven and twelve in the *morning*. He complained of the dispatch, and demanded an explanation. Fauchet was now in a scrape. After the accusations that he had transmitted to France, his giving Randolph a certificate of exculpation was violating the dignity of his office, and might have led him to the scaffold. Again, if he refused the request, there was a chance of personal violence to himself.

The same nerveless conduct adopted in the previous steps accompanied Mr. Randolph to the last. He should not have once parted with Fauchet till he had forced him to appear before a magistrate; and emit an acknowledgment of his precise meaning. Instead of this plain way, Randolph permitted himself to be put off till next morning at eight o'clock, when Fauchet promised to have a certificate or explanation ready. For granting this delay the secretary apologizes by saying that the *Medusa* was

§ Randolph p. 9.

blocked up in the harbour, and durst not fail. Here it may be remarked, that if Fauchet had been conscious to himself of writing only truth, he never would have entertained an idea of apologizing, because, in whatever form this could be done, his own reputation for veracity was sure to suffer. To the complaints of Randolph he might have answered in terms like these: "You and I know that the accusation is true, and as not one sou ever passed from my hand to yours in the form of a bribe*, I am out of your power. I fear nothing from your menaces, or your resentment. I have no secrets in your custody, nor terms essential to be kept with you. In communicating your corrupt offers to the French government, I only did my duty to the republic. At the same time I acknowledge that I am extremely concerned even on your account, for this awkward discovery. I know that you are the friend of France, and that you have been out-numbered in the American cabinet by a British junto. Yet I cannot attempt to retrieve your credit by a denial of what I have written. My republic would not forgive this violation of her dignity."

If Fauchet had been really innocent, this was the answer which he would certainly have made. On the contrary, his behaviour, and his certificate, alike demonstrate his internal condemnation. He was to be ready with his palinode at eight o'clock on the Tuesday morning. This was a space of twenty hours. If he spoke only truth, he might have dispatched the matter in five minutes. But he was conscious of guilt, and if he had gone off without giving an explanation, the matter would have been painted to his successor, Citizen Adet, in the strongest colours, and its effects might have followed Fauchet to France. No envoy, indeed no individual, who feels himself to have acted fairly, will ever acknowledge the contrary, unless perhaps when a dagger is held to his breast. No compulsion was used to Fauchet. On Tuesday morning, September 1st, Randolph waited on him for the paper. Still it was not ready. Fauchet promised to deliver it by twelve o'clock of that day. In the mean time, the Medusa weighed anchor, and and prepared for going off to sea. Fauchet was hastily

* This appears from No. 10, and is understood to be admitted on all sides.

sent for on board, where he continued writing till half past one o'clock. It is clear that this certificate must, in that time, have undergone several editions, and that the inventive faculties of its author were upon the rack. Randolph, hearing that Fauchet had set sail, sent a boat after him, which returned without having been able to reach the frigate. Fauchet, safe at sea, would undoubtedly have been very willing to cast his certificate into the fire. But he was aware of the complaints and remonstrances which Randolph would make to his successor. It could only be from this apprehension, and from the natural ascendancy of innocence over guilt, that he sent the paper back.

This view of the subject will help to explain the motives by which Fauchet was induced to write a recantation so disgraceful to himself. The certificate was not transmitted directly to Randolph, but to Citizen Adet, who afterwards furnished him with a copy of the original, and an English translation. This precaution was to prevent the government of France from thinking that he had made concessions to Randolph with which they were to be unacquainted. At the same time, he sent back by the pilot, who took the frigate out of Newport, a letter to Randolph informing him of his having sent the paper to Citizen Adet. Thus Randolph returned to Philadelphia before he ever saw it. We shall bestow a few lines on this performance.

Citizen Adet has employed an unlucky translator. Fauchet, when speaking of the interception of his dispatches, is made to say that they "are commented upon without doubt, and *mutilated* according to the passions of those "who use means so *noble and generous.*"* The reverse of these epithets must be the meaning of Fauchet. The certificate abounds with protestations of the integrity of Mr. Randolph. "I have never insinuated," says he, "nor "could insinuate in that letter, that I suspected on his "[Mr. Randolph's] part even the *most distant corruption.*" He goes on in this way as long as Mr. Randolph or his best friends could wish. But it was necessary that he should look *before* as well as behind him. He was obliged to say something which would seem to reconcile the alleged offers of perfidy with the retraction of the certificate.

* Randolph, p. 13.

This has been attempted, but in a very clumsy way. If complete evidence were wanted that Fauchet was not squeamish about assertions, it is only needful to compare the dispatch with the certificate. We shall do so, in the next chapter.

CHAPTER VIII.

Fauchet's Dispatch, No. 6. Its inaccuracy. Inconsistent with No. 10. The Certificate contradicts both. Absurdity of the whole accusation. Extract from the Philadelphia Gazette The President's repugnance to the British treaty. Anecdote of Mr. Hammond. Of John Olden. Objections to the British treaty. French Impiety. Curious plan for robbing Churches. Defence of Thomas Jefferson. Phocion. His singular reasons for recommending Mr. John Adams as President. His insolence to General Washington.

THE first hint of Randolph asking money, occurs in the dispatch of Fauchet, No. 6. Before proceeding to the certificate, we shall take up the story as it originally sprouted from the imagination of the French envoy.

“ Scarce was the commotion known, when the Secretary of State came to my house. All his countenance was grief. He requested of me a private conversation. It is all over, he said to me. A civil war is about to ravage our unhappy country. Four men by their talents, their influence, and their energy may save it. But debtors of English merchants, they will be deprived of their liberty, if they take the smallest step. Could you lend them instantaneously funds, sufficient to shelter them from English persecution? This inquiry astonished me much.”*

The idea of *four men* who were to save the country from a civil war, is ridiculous. Fauchet says that they were debtors of English merchants, and would be deprived of their liberty, if they took *the smallest step*. All this is fabulous. There is not, in this extract of No. 6, any word about the corruption or decrepitude of government, of patriots offering their consciences to sale, or of Governor Mifflin, his Secretary, and Mr. Randolph, wanting to pro-

* Randolph, p. 11.

mote the insurrection. Of the latter Fauchet only says, that "all his countenance was *grief*." At writing of No. 6, Fauchet knew as much of these secret manœuvres, as he did when he framed No. 10. He does not, in the latter, affect to have received new information. He should, at the first, have told his employers all that he knew. His silence, during Nos. 7, 8, and 9, is fairly implied by his reference in No. 10 so far back as to No 6. If this conspiracy had come into his invention at drawing up No. 6, he would have told it at that time, especially as he was so very impatient to get rid of it in No. 10. His silence as to any thing criminal, till so late as No. 10, is a strong proof that he had not then thought of it. Any person who, throwing aside the rant of party, will examine this circumstance, by the sober and candid rules of evidence, must see in that alone a strong presumption against the whole story. In No. 6, the proposal is foolish, but *innocent*. In No. 10, the tale changes its nature. It becomes infinitely more foolish, and is highly *criminal*. Thus the two dispatches contradict each other. Were each of them in itself probable and consistent, yet the reciprocal collision of contradictory assertions would reciprocally dash their credit to pieces. Suppose A affirming to day that B is in a fit of the gout. It is perhaps believed. To-morrow A assures us that B is walking on the slack-rope. We must be prepared to digest the veracity of both statements, before we can reconcile No. 6 to No. 10.

The certificate comes next, and completely demolishes No. 10. The recantation as to any criminal or corrupt design in Mr. Randolph is as ample as can be desired. About Governor Mifflin, or Mr. Dallas, of their balancing between two parties, or of patriots who wanted a purchaser, the envoy does not say a single word. He knew that the calumny was too detestable to be forgiven, and too absurd to admit of defence or apology. On this account, he entirely sinks that part of No. 10. He fairly pockets the lie, by not daring to advance a syllable in explanation or excuse for it. This glaring omission was sure of holding him up to his own government in a most dishonourable point of view. He must have foreseen this effect; and, as the certificate was dispatched from a distance at sea, he had every advantage of framing a story without risk of being confronted for a long time to come. Yet so far from presuming to take the benefit of his escape, to vindicate and sup-

port his accusations against Messrs. Randolph, Mifflin, and Dallas, he sent back a paper stuffed with compliments, and recantation. Mr. Randolph could not demand a more decisive triumph, unless he had forced the poor man to advertise himself as a liar in the newspapers. "Calling to mind," says he, "all the circumstances to which the questions of Mr. Randolph call my attention, I have an intimate conviction that I was mistaken in the propositions, which I *supposed to have been made to me.*"*

But it was requisite for Fauchet, as he valued his neck, to keep up, not indeed the appearance of consistency, for that he found impossible, but something like the shadow of an appearance of it. Accordingly, in this certificate, while bedaubing Mr. Randolph with encomiums, he revives the story first broached in No. 6, about the *four men*. He tugs most pitifully to make up a narrative of Mr. Randolph wanting him to obtain information from certain flour merchants for the use of the American Cabinet. At the time of the western insurrection, France was in great want of provisions. Fauchet, being a stranger in this country, applied to Mr. Randolph to recommend him to some proper persons, with whom he could contract for the purchase of flour. His certificate introduces Randolph speaking to him in the following terms: "He replied upon this, that having formed many connections by the means of flour contracts, three or four persons among the different contractors might, by talents, energy, and some influence, procure the necessary information, and save America from a civil war, by proving that England interfered in the troubles of the West." † In No. 6, Mr. Randolph is made to assert that *four men* may save the country. In No. 10, it is broadly insinuated who three of them were. In the certificate Randolph is made to enquire if three or four such men *were to be had?* This idea that Randolph knew nothing of himself, about where to find these flour contractors, is again fully expressed in these words: "At the moment he was mounting his horse, he observed to me, that the men, whom *I might be able to employ*, might be debtors of English merchants: that in this case they might perhaps be exposed, on the slightest movements which they should make in this important affair, to see themselves har-

* Randolph, p. 16.

† Ibid.

“rassed by procefs and arrested by the pursuits of their creditors.”* This passage stands in contradiction to his *positive* affirmation that they were debtors to English merchants. The certificate closes with a volunteer fib, that could answer no end but that of exposing the inconsistency of Fauchet’s memory. “The morals of my government, severely forbid the use of money in any circumstances which could not be publicly avowed.”† Look at the report of St. Just.

To acquit Randolph of the imputations advanced against him by Fauchet, it is needless to go beyond the writings of that envoy himself. The following arguments may be given as a summary. First, there is no proof real or pretended against the American Secretary, but what is drawn from the dispatches of Fauchet. Second, these pieces, even when taken singly, are unworthy of credit. We have No. 10 entire, and all parties will agree that it contains a very great number of fictions. The Hamiltonians are in particular interested in this remark, for they are attacked in almost every sentence. Third, admitting that No. 10 were consistent with itself, yet it differs totally from the certificate, and that again is at variance with No. 6. Hence, each of the two latter pieces demolishes the other, and the certificate blows up No. 10. Fourth, while the pretended evidence is utterly contradictory within itself, the charge involves the grossest absurdities. To make it credible would require the strongest evidence, and it is supported by nothing deserving that name. You could not kick a dog upon such testimony. Without taking the least notice of Randolph’s Vindication, or of the rubbish that he and his adversaries have so industriously heaped about it, the papers themselves destroy their own credit.

Before quitting Fauchet, a few remarks may be made on the nineteenth paragraph of this No. 10. Some notice of it has been recently taken ‡, but as it involves a very serious charge, it shall be more fully explained.

While the President was with the Western army, the Philadelphia Gazette chanced to mention that he would perhaps retain the command of it, to quell the insurrection. A reply to this remark appeared in the Aurora, which denied

* Randolph, p. 16.

† Ibid. p. 17.

‡ British Honour and Humanity, p. 58.

the right of the President to do so. Fauchet has vamped up this into a design of the Secretary of State for "infringing the constitution *in its most essential part*, in that which fixes the relation of the president with the legislature. But the patriotic papers laid hold of this artful attempt. I am certain that the office of the Secretary of State maintained the controversy in favour of the opinion which it was desired to establish. A comparison between the President and the English monarch was introduced, who, far removed from Westminster, yet strictly fulfils his duty of functioning." And again, "the similitude was treated with *contempt*." A heap of additional verbage is raked together.

Mr. Randolph is here charged with wanting to *violate the constitution*. He did not write a single word of the controversial paragraphs. The author happening to be in his office, on the day when the attack appeared in the Aurora, asked whether he thought it worth a reply? Mr. Randolph answered, that *he saw no occasion for it*. The reply was written afterwards, and it was printed in the Philadelphia Gazette without the Secretary of State, or any other person except the editor himself, being consulted about, or seeing a single word of it. As the piece is but short, it is here inserted to shew what Fauchet called *infringing the most essential part of the constitution*.

"There are so many real defects in the best administration of any government, that it is very unlucky when honest people disturb themselves by conjuring up the phantom of imaginary evil; when they expatiate on misconduct and misfortune which never have existed, and which, in all probability, never will.

"We stated, some days ago, that the President of the United States 'may find it expedient to act as commander in chief of the militia, raised to quell the western insurrection.' A doubt has been started, whether he is qualified to do so by the constitution? It has been hinted that Congress cannot legally transact business, without his presence. The second section of the second article of the constitution, begins in these words:

“ “ The President shall be commander in chief of the
 “ army and navy of the United States, and of the militia of
 “ the several states, when called into *the actual service* of
 “ the United States.’ It is beyond the power of human
 “ language to express more clearly the right of the Presi-
 “ dent to assume, at this moment, the command of the wes-
 “ tern army. No part of the clause says, that he shall
 “ resign this office when Congress assembles. On the con-
 “ trary, there is an explicit provision, that in case of his
 “ *inability* to discharge the powers and duties of the said
 “ office, the same shall devolve on the Vice-President.’ But
 “ a distance of three hundred miles, implies no *disability*.
 “ The Secretary of State may transmit the communications
 “ between Congress and the President, with strict legality,
 “ and without inconvenience. In the same way, the con-
 “ sent of a king of England is requisite to acts of parlia-
 “ ment, and in the same way, the obstacle of his absence
 “ has been surmounted.

“ We do not pretend to insinuate any knowledge, whe-
 “ ther the President will, or will not, continue in the wes-
 “ tern counties, during the session of Congress.”

A rejoinder appeared in the Aurora, and there the matter was suffered to rest*. This is the mighty affair which occupies so large a part of that dispatch. The republic had better have employed some of the newspinters in Philadelphia to send a monthly packet to Paris. Not one of them could have executed the office so poorly as Fauchet actually did. It may be expected that Randolph should be quoted in his own defence, and, though that seems hardly needful, a few lines shall be given.

Of the certificate he speaks in these terms. “ Although
 “ it cannot fail to be satisfactory to the people of the United
 “ States, it has been less explicit than it would have been,
 “ had it been in my power to have examined him (Fauchet)
 “ upon its several parts.”† Undoubtedly. The very

* Nothing more has been found on examining the file of the Philadelphia Gazette. The pamphlet last quoted says, that there was a second piece in that paper. This, on recurring to it, appears to be a mistake.

† Randolph, p. 77.

reason why the paper was concealed from Mr. Randolph from the 11th to the 19th of August, 1795, could only be to give every chance for Fauchet and Hammond to get out of the way; and then the certificate could not have been had. Justice must exempt the president from a share in this plot. He had no personal intimacy with Hammond. He could have no object but what was honourable.

It seems that Mr. Randolph was tired of his office. In his letter to the president he says, "You were acquainted with my determination to resign at the beginning of the ensuing year.—Not a single hour was ever brightened by the pleasures of the post; and I should have shaken off its irksome weight at the end of last year, had I obeyed my interest or inclination, instead of my attachment to you."* Such a general readiness to resign seems to shew that the salaries of the three chief Secretaries are, in the present cheapness of money, by far too small, as that of the President himself is perhaps too large.

Speaking of No. 6, Randolph says, "That the narrative is mutilated appears from the very face of the paper, which Mr. Adet affirms to contain the whole of what relates to the overture, as it is called. Naked as the representation is, it is incomprehensible in itself. What four men upon earth could have been contemplated? Why was British persecution to be apprehended?" †

The Vindication published by Mr. Randolph contains a variety of curious particulars. It was not till after a very great struggle that the President signed the British treaty. Scarcely a day passed, on which he saw me, that he did not enumerate many objections to it; objections going not only to the commercial part, but also to the Canada article, which though seemingly reciprocal in words, would, as he thought, want reciprocity in practice, to the omission of the compensation for the negroes and property plundered, and to some other parts of less consequence." ‡ The following instance affords a sample of Mr. Hammond. The President had resolved to ratify the treaty; but news in the mean time arrived that American vessels freighted with provisions for France were seized by British cruizers. He refused his ratification till that grievance should be put to an end. "Mr. Hammond asked me, if it would not be

* Randolph, p. 60. † Ibid. p. 88. ‡ Ibid. p. 287

“ sufficient to remove the order out of the way ; and after
 “ the ratification *to renew it?* I replied, perhaps with some
 “ warmth, that this would be a *mere shift*, as the principle
 “ was the important thing.”* This expedient was quite
 in the dirty pettifogging file of Pitt’s whole ministry.
 Thus the President, under the mask of a ratification, was to
 have betrayed American shipping to British pickaroons.
 After so treacherous and insulting a proposal, Hammond was
 of course to be greatly scandalized at Randolph soliciting a
 bribe from Fauchet. There can be no rational question
 that if “ some thousands of dollars” could have bought
 Randolph, Hammond would not have stood in hesitation.
 Birds of a feather flock together, says the proverb. The
 confidence of the British envoy centered in the congenial
 bosom of Mr. Wolcott. The President excepted, Randolph
 appears to have been the only real friend whom the United
 States had in the executive councils. It appears that Wol-
 cott and Colonel Pickering were animated with the most
 implacable rancour against Randolph. By insidious artifice,
 they prevailed upon the President to pre-judge his case,
 and to dismiss him from an office which he had resolved to
 give up. They urged the ratification of the British treaty,
 with as much zeal as if their fortunes depended on that
 event. Wolcott, at least, was on the most intimate terms
 with Hammond, and, where a point is to be gained, British
 ministers are in the habit of *buying every thing*.

The French are equal masters of corruption, but the
 dispatches of Fauchet ascertain that Randolph was *not* bought.
 Fauchet, by his own account, had no money to give him.
 The dispatch, No. 10, having so divertingly blundered into
 public view, should have convinced all mankind that under
 Fauchet, French bribery had not extended to the United
 States. By the most singular perversion of testimony ever
 heard of, the very dispatch that demonstrates a *negative*,
 has been held up as proving an *affirmative*. An American
 Secretary of State solicited a French envoy to bribe him.
 The envoy had neither money nor disposition to buy his
 influence. *Ergo*, he was bought, and along with him that
 majority in the House of Representatives of Congress who
 disapproved of the British treaty. When a party can be so
 stupid as to believe, or so hardy as to assert such enormous

* Randolph, p. 31.

contradictions, it is needless to argue with them. They are in a state of mind beyond the power of logic.

Many most reputable citizens of Philadelphia, men who are strongly disposed to the British interest, begin to be convinced that British influence is driving this country into that abyss of perdition a French war. At the late election of electors for a President, a number of staunch tories in this city voted for the Jefferson ticket. John Olden was one of them. A friend asked why he came to leave John Adams? The answer was, that before the day of election, he and a set of his acquaintances held a meeting. They turned the subject round; and, after a careful examination, they agreed in this opinion, that, from the way in which the Adamite ministry were going on, the election of Jefferson was the only chance which the country had to keep out of a rupture with France. On this account they quitted the tory standard.

The time chosen for making the British treaty was highly critical. It proves that a war with the French Republic must have come within the calculations of those by whom the bargain was formed. America was in close alliance with France, when that country plunged into a contest with England, marked by features of unusual animosity. The object in dispute was not a sugar island, a fishing bank, or the boundary of a frozen desert. Each party professedly aimed at overturning the national government of its rival. Under such circumstances, the United States, by stepping forward to embrace England, betrayed a sordid and provoking indifference about France, which could not fail to cut up the cordiality between the two countries. Without going into the law of nations, or the rights of neutral powers, a short comparison will bring this matter home.

I have a neighbour who wants to shoot me. You offer to sell him a pair of pistols. You say that you have *a right* of doing so. I shall not deny your title, but all good fellowship between us must be at an end. You offer at the same time to sell me pistols to defend myself. This only farther convinces me that you are a selfish rascal. It is but lately that this enemy of mine broke into your house, and was putting you in irons. I entered after him, knocked him down, flung him into the street; and now you tell me that I did this not on your account but my own. He has ever since continued to insult and rob you. He

is doing so at this moment. On the contrary, I have treated you not indeed with romantic and absurd generosity, but yet with integrity, respect and kindness. When my eldest son was married I sent you a pair of gloves*, and an invitation to the wedding. You sent me a polite answer, which wanted nothing but consistency with your actions†. When my family were starving, you sold me, at the highest price which you could get, an hundred and sixteen barrels of flour. But you and I know that if Belzebub had offered one cent per barrel more than I did, that cent would have turned the scale of preference against me.

Besides the point of feeling and gratitude, there was impropriety in entering into long stipulations about commerce, till it was seen if, at the end of the war, England was to have any. Her contests with France last usually for six, eight, or ten years, whilst every campaign opens and closes with predictions of peace. At a medium, we may still reckon on four years of war. By that time, England will be indebted five hundred millions sterling, and if the French succeed as they hitherto have done, they will then be masters both of the East and West Indies. If relative circumstances shall be thus totally changed, Jay's treaty must vanish into smoke. The acceptance of that instrument, while England was involved in such a quarrel, was like ensuring a house, while it was on fire, or buying an annuity on the life of a profligate heir just attempting to shoot himself. These observations do not arraign the merits of the treaty itself, but the extreme absurdity in chusing the time to frame it.

There must have been some double game about this transaction. Fauchet, in his dispatch, No. 3, brings forward Randolph speaking as follows: "I affirm, that there is no question in Jay's mission, but to demand a *solemn reparation* for the *spoliations* which our commerce has experienced on the part of England."‡ The proposal of Mr. Hammond above stated, shews how little he thought of *reparation*. The piracies were only to be suspended till the treaty could be ratified. This single idea shews what contempt he felt for the American ministry. From such a beginning, nothing but gross insolence and treachery were to be expected.

* The French flag. † The President's answer to Citizen Adet.

‡ Randolph, p. 18.

The progress of the connection has corresponded with its outset.

One of the trite objections to the French revolution is the dilapidation of church property, and disrespect for the Christian religion. As to the first, it has been so ably defended by Mr. Paine* that nothing farther needs to be said. The second has been explained in *British Honour and Humanity*, where many wonderful mistakes in point of fact have been amply corrected. The scurrilous pamphlet entitled *A New Year's Gift for the Democrats*, begins with this charge. That thing is highly admired by Mr. Wolcott, who was no doubt most tenderly affected by the recital of these atheistical ravages. But a modern British historian has printed so singular a plan for the robbing of churches, that it deserves insertion here, to shew that the French are not singular in panting for sacred spoil. Sir John Dalrymple, Baronet, is a baron in the Scots Court of Exchequer. During the American war, he projected an expedition by some private adventurers to the coast of Spanish America. His proposed associates were merchants in Glasgow. The plan fell through, but in 1789, he gave it to the world for the benefit of the next age. The passage referred to is as follows.

“ I cannot recollect any difference of opinion amongst us,
 “ but one. I had made up from printed books, three lists;
 “ one was of the stations, and time of continuing on them;
 “ another of the open towns on the coast, which might be
 “ taken and laid under contribution without danger, and
 “ of towns weakly defended, which might be taken in the
 “ night-time by surprize with little danger; the third was
 “ a list of *the churches and convents*, with the probable value
 “ of the gold and silver plate, gold and silver images, and
 “ jewels in them: And from what is mentioned cursorily
 “ in Ulloa and other books, I thought I had reason to be-
 “ lieve that there is more gold, silver, and jewels, in *these*
 “ *places of devotion*, than there is in the whole of the three
 “ British kingdoms. The belief is probably well founded; for
 “ it is natural for the possessors of wealth to give that to
 “ *the church* which they cannot otherwise dispose of, who
 “ can find few borrowers to pay interest for money in coun-
 “ tries where there is little agriculture, manufactures, or

* Rights of Man, Part I.

“ trade, who are not permitted to send the precious metals
 “ or jewels home without the consent of government,
 “ whose wives and daughters cannot bear above a certain quan-
 “ tity of gold and jewels on their dresses without sinking un-
 “ der them, and who are themselves the most superstitious
 “ of all the European nations. In the richest part of the
 “ South Seas, where the night is equally long with the
 “ day, the attack upon the towns in the night, by surprise,
 “ is easy. The securing of the plunder of the churches, is
 “ equally easy, from the form of the Spanish towns in
 “ every part of the world; for they all have a great square
 “ in the centre of the town, and in that centre stands the
 “ chief church: so that invaders marching directly to that
 “ square, can both command the town, and secure the trea-
 “ sure in the church. But I received a private note from
 “ Mr. Glafsford, that the idea of touching things dedicated
 “ to God made him uneasy, and he wished that part of the
 “ project to be dropt. Perhaps I may be mistaken; but
 “ I thought I observed, in consequence of that scruple, a
 “ struggle in the minds of some of my Glasgow friends, be-
 “ tween their respect for religion, which made them averse
 “ to plunder churches, and their hatred of popish superstition,
 “ which made them recollect that they were only popish
 “ churches. And this last consideration seemed to me to re-
 “ move the scruple a good deal from their minds.”*

As for popish churches, the learned judge admires
 Lucretius. To him all churches are alike, so that by this
 inuendo he was but attempting to play on the credulity
 or prejudice of his correspondents. The reference to wives
 and daughters is not followed up; but the historian cer-
 tainly meant to strip, or at least feel them to the skin. He
 speaks highly of Woodes Rogers, the English corsair. This
 man relates that a party of his people once landed on the
 coast of Peru, and went into the country. They came to a
 house where some ladies had fled for safety. Their dress
 was thin, suitable to the climate. The English sailors groped
 round on the outside of their petticoats; and finding that
 they had concealed some female trinkets, by fixing them
 close to their thighs, they ordered the ladies to retire into an
 adjacent room and undress. The jewels were delivered,

*Memoirs of Great Britain and Ireland, Vol, 2d. Ap-
 pendix, No 1.

and Woodes Rogers extols the reserve and delicacy of his sailors for not obliging these people to strip stark naked in their presence. *The New Year's Gift* blames the French for pillaging churches and women. These British anecdotes may stand as a counterpoise. From Mr. Randolph, we now proceed to the defence of another late American secretary of state. The facility of Faucher's submission stifles our resentment, and substitutes a mixed feeling of compassion and contempt. The adversary now to be handled is of a different stamp. He keeps no medium, and equally disdains to give or accept of quarter.

About the month of November, 1796, some letters conveying an attack on the public and private character of Thomas Jefferson, appeared in the gazette of the United States. They were subscribed *Phocion*. A part of them has since been reprinted in a pamphlet under the following title: *The pretensions of Thomas Jefferson to the Presidency examined; and the charges against John Adams refuted. Addressed to the citizens of America in general; and particularly to the Electors of the President. United States, October, 1796.*

The piece opens with some notice of Hampden, a writer in a Richmond newspaper, who has enumerated the qualities that point out Mr. Jefferson as a suitable President. The publication of Hampden is not at hand, and the present question may be investigated without it. If the veracity of *Phocion* can be trusted, Hampden "asserts the exclusive right of VIRGINIA to fill the office of President." The character of Mr. Jefferson, and the degree of public attachment that he enjoys, are matters altogether distinct from this affirmation. If Hampden advanced such a doctrine, he was unworthy of the two pages bestowed on him by *Phocion*. But when we come to see the mode of quotation practised by the latter, it will appear doubtful whether Hampden ever wrote what is ascribed to him by *Phocion*. By the way, it is rather offensive that obscure writers in a newspaper should presume to christen themselves with celebrated and venerable names. If the author of a copy of verses in a daily print was to subscribe himself Homer or Shakespeare, the world would laugh. But, to take a simile from Falstaff, Catos, *Phocions*, and Polybiuses, are "as plenty as blackberries." Sejanus, Vatinus, or Anytas, who conducted the prosecution of Socrates, could furnish many writers with a suitable *Cognomen*.

Besides the present luminary, America has another self-created Phocion.

About one half of the pamphlet under review consists of general assertions unsupported by evidence; for we cannot give that title to naked affirmations from an author who chuses to conceal his name, and who, at the same time, advances mutilated quotations, interlarded with phrases invented by himself, that twist the plain meaning of the text from which they are quoted. One half of his sixty-four pages drop, therefore, dead born under the touch of their commentator. To follow Phocion through all his windings would require a production twice as large as his own. Avoiding extraneous materials, we shall here examine his leading arguments. If *they* tumble, the rest of the fabric follows of course.

“ Of all beings a *philosopher* makes the worst politician; “ if any one circumstance more than another, could dis- “ qualify Mr. Jefferson for the Presidency, it would be “ the charge of his being a *philosopher*.” p. 14 In its original, this last word signifies a *lover of wisdom*; in its modern sense, it rather perhaps implies an *enquirer after, or a possessor of knowledge*. The two characters bear a close affinity, and the term in question generally comprehends both. Hence, the argument of Phocion stands thus: “ Thomas Jefferson is a lover of wisdom, a possessor of, and “ an enquirer after knowledge. But a President of the “ United States ought to be an enemy to wisdom, and a “ contemner of knowledge. He should be a fool; and de- “ spise the advice of persons better informed than “ himself. Mr. Jefferson is a man of sense, open to “ information and conviction. On that account he is unfit “ to be an American President.

To prove that philosophers are “ the worst politicians,” Phocion refers us to Mr. Locke, framing a constitution for Carolina, and to Condorcet a Frenchman, who perished in the late revolution. As for Locke, he wrote on the principles of government in a liberal and intelligent style. His opinions were, during the revolution war, highly estimated in America. They have been recently quoted with respect by Jared Ingersol, Attorney General of Pennsylvania. This was before the Supreme Court of the United States in May, 1795, in the trial about the Connecticut settlers of Luzerne. Phocion will not

dispute the professional discernment of Mr. Ingersol. As for Carolina, Mr. Locke was no doubt limited by the proprietors in forming his constitution. Whether he was, or was not, is of no consequence in the present question. The word philosopher applies with propriety to an infinite diversity of characters. The last King of Prussia was a superlative military and political character. He was a *philosopher*, in the strict acceptation. He left behind him thirteen unpublished octavo volumes of literary composition. He had previously published Memoirs of his family, and a voluminous treatise on military discipline. He produced all these works though his official situation immersed him in a torrent of business. He courted the reputation of being a *philosopher* with more assiduity than Mr. Jefferson ever did; and his posthumous works attest that he deserved this title. Yet on the principles of Phocion, this character would have been rejected as president, not from his arbitrary principles but from his want of *capacity*.

Phocion objects to Thomas Jefferson, if he is a *moral philosopher*. "The merits of the famous *equestrian*, Ricketts, "would have been at least as likely to recommend him to "a station which may occasionally require great military "talents." Thus the best officer in Europe, by his unfortunately being a moral Philosopher, and, like Jefferson, fond of retirement, would have been completely disqualified for his business. He could no longer have conducted a campaign against Doublehead, or the Cornplanter. With fifteen thousand militia at his back, he could not have dispersed the western insurgents, if they had ever assembled. But this, with their usual malice, *they never did*, to the infinite mortification of "the *spirited* and truly patriotic "*Hamilton*," p. 34, who had anticipated the triumph of hanging or shooting some hundreds of them. Mr. Washington himself is a moral philosopher, and remarkably fond of retirement. The latter is one reason that he gives for declining a third election, and by the reasoning of Phocion, these two circumstances would be sufficient for rejecting him as a presidential candidate. Did Phocion mean to insult the present President by such objections to Mr. Jefferson, or are they merely imputable to his own poverty of intellect, and abhorrence of *philosophy*? The introduction of an *equestrian* is a polite compli-

ment to the sentiments of so great a part of the citizens of America as compose the friends of Mr. Jefferson. It seems that they had better have looked for a candidate in stables and riding-schools. Yet even a proficiency in philosophy, or a fondness for retirement is consistent with *skill in riding*. The king of Prussia, with all his philosophy, was the first of equestrians, and gained his battles in a great measure by the superior and peculiar manœuvres of his cavalry. Solon, Plato, Lycurgus, and the younger Cato were all men of the most eminent political talents. They were *philosophers* in the most literal sense, and such was the Athenian whose name this pamphlet has assumed. The *ancient* Phocion was forty-five times elected General of the Republic of Athens. So great was his acuteness, that when he rose to speak Demosthenes used to say, *there comes the pruner of my periods*. At the age of eighty, he was condemned to drink hemlock, and with his dying breath enjoined his son to *forgive his enemies*. Such a character has no kind of connection with our *American* Phocians. They might have copied the candour of Charles Jenkinson, since Lord Hawkebury. In a newspaper essay, he very suitably signed himself *Domitian*.

If the modern Phocion be right in his system, neither his Athenian namesake, nor Cato, nor any of the other great men above-named could have been eligible as successors to the President. The office which he fills can be held only by an enemy to moral philosophy, by a Goth, in short, by a blockhead.

Take notice to the following contradiction. "How different was the conduct of the *spirited* and truly patriotic HAMILTON. He wished to retire as much as the philosopher of Monticello. He had a large family, and his little fortune was fast melting away [*No doubt it was!*] in the expensive metropolis, but with a Roman's spirit, he declared, that as much as he wished for retirement, yet he would remain at his post, *as long as there was any danger of his country being involved in war.*" On this ground, he should still have kept his place, for the recent correspondence between Adet and Pickering looks as like war as any thing which has occurred for these four years.

The passage above cited speaks pathetically of Mr. Hamilton's fortune *melting away*. This must have been the

case, although he kept very little company. We see that the President himself, though a regular economist, can barely subsist on twenty-five thousand dollars per annum. Yet he has no family excepting his wife and servants. He is subject to no extra-expence, but an occasional dinner, on a moderate scale, to members of Congress. At entering upon office, he declared his resolution to accept no more of the public money than his neat household expences; and, such is the dearth of the times, that he finds it necessary to draw upon the treasury for his whole salary. He can barely defray his current charges, so that Mr. Hamilton, with a salary of only three thousand five hundred dollars must have been annually sinking prodigious sums.

Now comes the contradiction. Mr. Jefferson had the same salary as Mr. Hamilton. His family was less and his visitors were more numerous than those of his brother secretary. Their disbursements must have been about equal. Mr. Jefferson, as it was generally understood, lost money by his office. Yet Phocion, p. 64, says that "Mr. Jefferson *clung* for four years to the honours and EMOLUMENTS of office, under an administration," &c. This is part of the concluding sentence of the pamphlet. It is brought forward as the clenching nail. Mr. Hamilton, with the same funds and expences, had been represented as *melting away* his fortune. The two affirmations contravert each other. Mr. Jefferson, agreeable to the facts already stated, must have been sinking fifteen or twenty thousand dollars per annum. The President, with a salary above seven times larger than his, expends every cent of it in his household expences, though he lives, for a great part of the year, upon his own farm at Mount Vernon. Thus, even from the statement of Phocion himself, Mr. Jefferson stands acquitted from this charge of venality. We have also seen him freed from the imputation that because he was a moral philosopher, he was unfit for a president. Both these points of this indictment are so absurd that one is almost ashamed of giving them an answer. Either the enemies of Mr. Jefferson labour under an alarming dearth of materials for accusation, or a surprizing penury of taste in the selecting of them.

We proceed to a third charge, that of *impiety*. As this writer has just been detected in printing a malicious

untruth, and which he must have known to be so, it might be enquired what is the title of *his* religion? or, why he does not blush to speak upon such a subject? He quotes, p. 37, from Mr. Jefferson the following passage. It is here given in two different columns. One of them contains it as quoted by Phocion; the other as published by the author.

PHOCION.

“ Millions of innocent
“ men, women, and chil-
“ dren, *since the introduction*
“ *of Christianity*, have been
“ burnt, tortured, and im-
“ prisoned.”

JEFFERSON.

“ Difference of opinion is
“ advantageous to religion.
“ The several sects perform
“ the office of a *Censur morum*
“ over each other. Is uni-
“ formity attainable? Mil-
“ lions of innocent men, wo-
“ men, and children, since
“ the introduction of Chris-
“ tianity, have been burnt,
“ tortured, fined, imprison-
“ ed; *yet we have not advan-*
“ *ced one step towards unifor-*
“ *mity.*”

Even the mutilated quotation is invulnerable to criticism. It states in a few plain words a fact as well attested as any historical fact whatever. Phocion must have been at a very great loss for something to say, when he quoted such a sentence as reprehensible. By breaking off the last semi-colon, and printing the words *since the introduction of Christianity* in Italicks, he meant to insinuate that this passage aims at casting odium on Christianity. He wanted perhaps to squeeze out of it an assertion *that such carnage did not exist before Christianity, and had occurred only in consequence of it.* Phocion next quotes another extract from Mr. Jefferson. Speaking of the state of religion in Pennsylvania and New York, the latter says, “ religion there is well supported, of various kinds indeed, *but all good enough*; “ all sufficient to preserve peace and order.”

Phocion closes the paragraph with these words from Mr. Jefferson, without offering any comment. He begins the next thus: “ Which ought we to be the most shocked at,

“ the *levity* or the *impiety* of these remarks?” Here they follow, as printed by the two authors.

PHOCION.

“ It does me no injury,
“ if my neighbour is AN
“ ATHEIST, because it does
“ not break my leg.”

JEFFERSON.

“ Our rulers can have au-
“ thority over such natural
“ rights only as we have sub-
“ mitted to them. The rights
“ of conscience we never
“ submitted, we could not
“ submit. *We are answerable*
“ *for them to our God.* The le-
“ gitimate powers of govern-
“ ment extend to such acts
“ only as are injurious to
“ others. But it does me no
“ injury for my neighbour
“ to say there are twenty
“ gods, or no god. It nei-
“ ther picks my pocket nor
“ breaks my leg. If it be
“ said, his testimony in a
“ court of justice cannot be
“ relied on, reject it then,
“ and *be the stigma on him.*
“ Constraint may make him
“ worse by making him a
“ hypocrite, but it will never
“ make him a truer man.”

Phocion prints the words AN ATHEIST in capitals. The passage that he gives as from Mr. Jefferson is in reality *his own*; for these two words are not in it. The *because* is likewise an addition, and gives to the whole sentence a clumsy and ludicrous air. Phocion asks, “ which ought we to be the most shocked at, the *levity*, or the *impiety* of these remarks?” The first shock is in quoting, as from Mr. Jefferson, words that he never wrote, and in printing them with capitals *as his*. The whole passage as fairly quoted is unexceptionable. It vindicates, in a liberal stile, the universal right of conscience. After quoting it, Phocion takes up the subject in these words. “ What? do I receive no injury, as a member of society, if I

“ am surrounded with atheists, with whom I can have
 “ no social intercourse, on whom there are none of those
 “ religious or sacred ties, which restrain mankind from the
 “ perpetration of crimes, and without which ties, civil
 “ society would soon degenerate into a wretched state of
 “ barbarism, and be stained with scenes of turpitude, and
 “ with every kind of atrocity? Good God! is this the man
 “ the *patriots* have cast their eyes on as successor to the
 “ *virtuous* Washington!” Yes, Sir! this is the man, and
 the patriots feel no reason to recant their choice. It is
 amusing to observe the use which some people make of the
 President. Whenever it can serve their turn, his
 name is introduced with the utmost reverence; yet these
 very men are in the practice of abusing that very president,
 and his family. They outrage his feelings as a public
 officer, and a private citizen, in the most insulting and
 afflictive stile that can be conceived.

We have seen above, the way in which Noah Webster
 and some new printers who copy from him, speak of the
 southern states in general, and in particular of Virginia.
 The whole people in that state are represented as anti-fede-
 deralists, disorganizers, bankrupts and swindlers. In these
 elegant productions, the President and his family are never
 once excepted, though common decency would require
 such a qualification. But getting over this omission,
 what must the President think of panegyrists who, while
 they pretend to be celebrating his praise, are reviling, in
 language the most indefensible, the state which gave him
 birth, which gave him an independent fortune, that state
 whose influence placed him at the head of the American
 revolution, and enabled him to act that part which he has
 supported in the history of the new world. To suppose
 that General Washington is not attached to the State of
 Virginia, to suppose that he does not prefer that country
 and its citizens, to whom he is under such indelible obliga-
 tions; before every other spot and every other class of people
 in the universe, to suppose that he does not feel intense
 detestation for the authors and abettors of such atrocious
 wholesale calumny, would be to impeach General Washing-
 ton as divested of the ordinary feelings of a man. Yet this
 practice of railing at his country has, for several years past,
 been carried on at his elbow, under the explicit patronage
 of Alexander Hamilton and his tenth legion. Nay, while

they are thus combating with his judgment as a man of sense, and his local prepossessions as a native of Virginia, they, with the most stupendous inconsistency, arrogate to themselves the exclusive honour of *respecting* him. Their insolence is no doubt one cause of his wishing to recede from public life. He has reason to be tired of such a hornet's nest.

To close this chapter, we shall take notice of a faithful ally of Phocion. The *Bloody Buoy* is one of the most elaborate productions of its author. He professes to take it entirely from French books, *all written by Frenchmen, and all except one printed at Paris*. He adds that every reader has "as good an opportunity as he of coming at those books." He challenges any person to prove "the falsity of one single sentence contained in the book." Introduction, p. 12. Yet, without going to French writers, we find him stumbling in this very introduction. He rails at all our newspinters in the file already exposed in *British Honour and Humanity*. The design of the piece is to stigmatize the French as barbarians. It is as easy and as common to print fictions at Paris as at Philadelphia. To ascertain the truth of an assertion we must have better evidence than merely that it was *printed at Paris*. But the writer has given full proof as to *his* veracity, without going so far. Speaking of the French massacres, he says, "Can these generous friends of the American revolution tell us of any massacres that took place *in this country*? Did they ever hear of women and children being drowned and shot by *hundreds*? Seven years of civil war desolated these states, but the blood of *one single woman or child* never stained the earth."*

During the British war, Mr. Guelph hired every savage tribe of Indians, whom he could get together, to take up the hatchet. They are in use to butcher old and young. They did so all around the inland frontier of the United States. As to the first query, of "any massacres taking place," every campaign produced them. As for women and children being shot, Mrs. Caldwell was so, by a British soldier, and a British officer wanted to burn her body. To say that the blood of *not a single woman* stained the earth is the most notorious of untruths. The Indians were every

* *Bloody Buoy*, second edition, p. 204.

where, within their reach, murdering whole families. The Old Jerfey held up, for *six fucceeding years*, a fcene of cool and fyftematic barbarity, which has no counterpart in the French revolution. An editor capable of fuch impofture may often fpeak truth, but we muft have better testimony than his own, before his affirmations can be trusted.

This Bloody Buoy deduces the recent degeneracy of the French from their having renounced the Chriftian religion. The premifes and the conclufion are equally unfounded. The character has not degenerated. Religion is not renounced. France has long been full of infidels. Every one acquainted with French writers muft know this to be true. Whatever was his fubject, almoft every author of that country, for the laft fifty years, took an early occafion for letting his readers underftand that he defpifed the eftablifhed religion. This might be very wrong, but fuch was the fact; and ignorance or falfehood only can deny it. Thus far no degeneracy can be afcribed to Deifm, fince the latter exifted, in all its violence, long before the revolution. It does not appear from the mafacres of Carrier, and his accomplices, that the bulk of the people are more barbarous than their neighbours. All the ftories in the Bloody Buoy, if authentic, are not within one twentieth part fo bad as Burke's defcriptions of the Englifh in Bengal. The fave-trade evidence given before the Houfe of Commons is equally horrible. The clamour about French barbarities is not excited in this writer by virtuous indignation. It is the yelp of a hireling, who rejoices in the burning of meeting-houfes, the ruin of diffenters, and the return of a yellow fever.

America would be in a charming plight, if every man who difbelieved religion were incapable of moral feelings. To the north of Hudfon's river, prudence makes infidels in general to be filent. They become more numerous in the middle ftates. To the fouth of the Patowmac, perhaps one half of the white people have, at bottom, no religion whatever. Yet when the Boftonians had fqueezed themfelves into a Britifh war, which by prudence might have been for fome years averted, the profane province of Virginia rejected a trimming ftate of friendship and tranquility with Britain. She could eafily have preferved her external fafety; but fhe chofe to conquer or to perifh with her fifter Maffachufetts.

Of late certain persons in New England, and their friends in the middle states, have begun to revile Virginia. At the same time, they are loud in protestations of gratitude to the late king of France and his consort. In England, Virginia was, before the revolution, regarded as a loyal state, and New England as disaffected. The former had been founded by partisans of the court; the latter by fugitives from episcopal vengeance. Much was counted by the British upon the impossibility of Virginia suffering itself to be dragged after New England into revolt. It was by many believed that Boston would stand alone. New York and Pennsylvania were full of people not likely to second the zeal of New England. Had Virginia betrayed, on this occasion, a coldness, the revolution must have been stifled. But Virginia took an early and decided part. Her example on either side would have turned the scale; and with a judgment and magnanimity that do her the highest honour, her citizens were next to unanimous. In return, that state is now a favourite object of invective in some newspapers of New England. Menaces of separation are held out. This is the first item in the account current of *gratitude*.

As to the Queen of France, the whole revenues of the United States would not have supported her actual expences. On printing the Red Book, a debursement was stated in her name to the amount of six hundred thousand pounds sterling, in favour of one Polignac. The payment was said to be for acting as master of the household to his own wife*. This chaste couple were subservient to the personal conveniencies of Antoinette in a capacity too disgraceful for a plainer explanation. Such a character could not be supposed to interest herself in the welfare of any people. To France she was an intolerable scourge. Towards her memory American gratitude needs not to beat high.

As for Louis, if he had been actuated by moral feelings, he would have studied the peace of his own country, instead of plunging her into foreign quarrels. He began a war that loaded his people with dreadful burdens, wasted their commerce, and cost them perhaps an hundred and fifty thousand lives. This was a strange way of shewing his benevolence. If he had been the real author of the war with England, these circumstances must have proved

* New Annual Register for 1791.

him to be a tyrant. Gratitude from this country would have been absurd; since his friendship could only flow from the motive of sacrificing the blood and treasure of his people for the sake of humbling a foreign rival.

But Edmund Burke has, in Dodsley's Annual Register, given the matter a different aspect. He says that the king of France was perhaps the only person in that country averse to the war. Men who looked forward to a revolution were for it. The whole nation considered this as the most precious opening ever to be expected for avenging the black catalogue of insults and injuries from England. The assistance granted to America arose from a complexity of motives. In some, such as Fayette, it was chiefly, perhaps, an instinctive zeal for republican freedom. In others, it was the expectation of a job, or the ambition of charging at the head of a regiment. In *all* there must have glowed an ardent desire to humble the pride of an implacable enemy. The king had not in himself a force of mind capable of rushing into hostility in contradiction to the universal wish of his people. He was a passive agent, borne along on the tide of public enthusiasm. This, though a secret in America, is a fact well known in Europe. Those who pretend the utmost gratitude to him, affect indifference or dislike to the nation at large. The creed of gratitude stands thus.

“ I, a New England federalist, or a Hamiltonian, or a friend to order, do slander and hate Virginia, because she was the axle-tree of the late revolution, and because she might still urge against me a debt of *gratitude*.

“ A French army crossed the Atlantic, and saved America from a second seven years of war. They behaved with exemplary discipline, and even decorum. They stole no horses. They burnt no barns. They staved no casks of cyder. They stript no infant naked; nor did they hold a bayonet to the breast of its mother. They were not monsters. They were only men. For these troops, I felt no more affection or attachment than for their ramrods. I now hire newspapers to calumniate French armies in the lump. I abhor them, because they have done for themselves what they formerly did for me.

“ I am grateful to the late king and queen of France, to whom I never had any disinterested obligations. I profess this gratitude, because my alleged benefactors *cannot*,

“ *now claim a return* ; and because this profession gives me
 “ an opportunity to blacken the whole French nation,
 “ who in reality did so much of my business. This is my
 “ *truly federal system of gratitude.*

“ I believe that Thomas Paine is the greatest rogue and
 “ fool in the universe. My detestation is not founded on
 “ his recent ruptures with Christianity, and with General
 “ Washington. I had strained every note in the trumpet
 “ of reprobation for some years before these circumstances
 “ were given to the public. But as they afford a more ter-
 “ rible ground of attack than any one which I could for-
 “ merly meet with, I now chuse to rest my abhorrence
 “ chiefly on my horror of blasphemy, and my reverence
 “ for Washington.

“ I believe this man to be a fool, because he had no busi-
 “ ness to instruct Americans in the advantages of indepen-
 “ dence. I think him a traitor, for he had already sworn
 “ allegiance to his lawful king. I am offended to hear that
 “ an old broken exciseman * was able to school *the most en-*
 “ *lightened nation in the world.* I am sorry that Robespierre
 “ did not cut off his head. I am glad that he was a twelve-
 “ month in jail, and that this confinement has induced an
 “ immovable abscess in his side. The French were, at that
 “ time, in want of American provisions. They were court-
 “ ing American friendship. Three lines of requisition
 “ from the greatest man that ever existed, would have ob-
 “ tained the instant dismissal of Thomas Paine from the
 “ Luxembourg.

“ Like many better men than myself, I believe that a
 “ continental army of twelve hundred soldiers can protect a
 “ fourth western frontier of twelve hundred miles. I be-
 “ lieve that six American frigates can do, what a British
 “ navy of six hundred sail does not chuse to attempt. I
 “ believe that it is proper to enter into a sixtieth treaty
 “ with the Creeks, and to punish an American farmer who
 “ pursues them across the boundary line in quest of his horse,
 “ his wife, or his children. I believe that he should rather
 “ send a dispatch to Philadelphia, and entreat the Presi-
 “ dent to enter into the sixty-first negotiation with these
 “ assassins. I believe that when a man has pledged himself
 “ to serve his country for nothing, he cannot subsist upon
 “ less than twenty-five thousand dollars a-year.”

* *Vid.* The Political Censor.

CHAPTER IX.

*Defence of Thomas Jefferson continued. Anecdote of Charles II. On the universal right of Conscience. Anecdote of Dr. Swift. Shocking fanaticism in Massachusetts. Isaac Backus. Judge Rush. His blundering appeal to Montesquieu in Defence of Christianity. Abuse of General Washington by Phocion. Remarks on the Defence of Mr. Adams. Trial of Mr. Paine. Portrait of a British Spy. On the state of American parties. Singular proposal by Mr. Adams for an universal hanging bout of the Tories. Vindication of Paine's Rights of Man. Farther Defence of General Washington and Thomas Jefferson. Anecdotes of John Adams. On the Algerine armament. Philip Freneau. Miserable œconomy in paying the clerks in public offices. Character of Davila. Tit for Tat. Atrocious treatment of John Swarwick. The Democratiad. Francis Bailey. Piti-
 ful attack upon him. Lancaster Journal. Its victory over the Friends of Order. Menace against Mr. W. Lyman.*

ON p. 36, Phocion writes thus. "Mr. Jefferson has been heard to say, since his return from France, that the men of letters and philosophers he had met with in that country, were generally *atheists*." The fact is known without his attestation; or rather, it is known that these people assumed that title. On the same page Phocion gives a novel and surprising piece of intelligence. "The late impious and *blasphemous* works of Thomas Paine, reviling the Christian religion, have been much applauded in France, and have been very industriously circulated in the United States, by ALL that class of people, who are friendly to Mr. Jefferson's politics, and anxiously desirous of his election to the presidency." Thus one half, or a majority of the citizens of America, are *apostles of blasphemy*. They are industrious in circulating blasphemous writings.

Charles the Second of England had an unruly horse, which he proposed to give away to any one of his courtiers who could tell *the greatest lie*. While the circle were in a state of competition, a countryman on some business came into the house, for Charles was quite acces-

sible. The man was told of the offer, and invited to furnish his quota. "May it please your Majesty," said he, "I never told a lie in my life." "Give him the horse," said the king, "for *that* is the greatest lie which has been told to-day." If Phocion the third had been present, the countryman might have lost the prize, for the passage last cited contains one of the most incredible and self-condemned falsehoods that ever blotted paper. Has John Olden circulated the *Age of Reason*? Indeed the very title-page of this pamphlet betrays the writer's internal conviction of its iniquity. Instead of telling the name of the bookseller or printer, or of the place where it was published, we have only, "United States, October, 1796."

Three standing nick-names are held in constant readiness by the clergy, for those whom they do not like. These are *Infidel*, *Deist*, and *Atheist*. The first simply denotes an unbelief of something. The presbyterian does not believe with the quaker, nor the latter with the presbyterian. Each of them is thus, as to his antagonist, an *infidel*. The term does not imply reproach. *Deist* signifies a person believing the existence of a Supreme Being, but rejecting particular revelation. Such is Thomas Paine. To accuse him of blasphemy, that is, of denying the existence, or moral attributes of the deity, is an act of gross injustice. We might as well accuse a Jew or a Turk of blasphemy, because they adhere to Moses or Mahomet. In as far as the deist believes, he is right. The only fault is, that he believes too little, and the most noxious part of his incredulity is his refusing, wherever it is in his power, to pay tithes or go to church. But a Christian parson would think it equally hard if he were compelled to hear the sermons of a Jewish rabbi, and to give him pigs, lambs, and sheaves of wheat. The Deist does not believe any thing which is false. His misfortune lies in not believing all which is true. He is like the person who admits that in spring, 1796, the British sent twenty thousand land forces to the West Indies, to burn the French plantations, but who disbelieves that nine-tenths of these gentry have since died of the yellow fever. Error would always become truth, *if it could*. No man ever persisted in an opinion which he knew to be wrong. Such an idea implies a contradiction. Deism, like other mistakes, is involuntary, and therefore to punish it as a crime, must be the very height

of iniquity. Mr. Jefferson justly observes, that for our religious opinions we are answerable to our God. †

The third of these theological nicknames is *Atheist*, an application bestowed with great fluency. An Atheist is, like the deist, an individual whose opinions are involuntary. They are under the guidance of his judgment, or rather of his folly. Every thing around us announces the presence and agency of a superior species of being. The infinite divisibility of a grain of sand, the incomprehensible cohesion of its atoms, "forever distant, yet forever near," at once reduces a Newton and his investigations to the level of infancy. The infinite retrospective series of eternity, the conception of something which never had a beginning, at once burlesques the approaches of mortal comprehension. Under such circumstances, to deny the being of something superior in its intellectual endowments to man is an absurdity. Of persons enjoying the capacity and habit of reflection, it is difficult to think that any one in his own mind, ever disbelieved the existence of some power totally superior to himself. An affectation of this sort prevailed in France, but it has been remarked by Dr Moore that, though these people talked more of infidelity than most of their neighbours, they at the same time *believed* more. When French atheists were examined on their grounds of belief, they got into a wilderness of words about the *eternity* of the world, the plastick powers of *nature*, with other phrases which, when explained, resolve themselves into an acknowledgement of a supreme being. The correspondence between Frederick and the famous D'Alembert affords a complete instance of this kind. Both professed an equal contempt for all religions. They believed as little as possible. In a series of letters they mutually attempt to explain their ideas, and the above is the result. Thus a doubt remains, whether there is such a character as an atheist; but even he would be a most improper object of persecution. D'Alembert, lived in a state of defiance to all religions. The French clergy refused him the common rites at his burial. But he was an honest, humane, and virtuous man, and as such was held in the highest esteem,

† Notes on Virginia, Art. RELIGION.

Yet, by Phocion's rule, he was *incapable of social intercourse*, &c. &c. One would take him for a sort of biped Hyæna.

The most violent professors of religion are often infidels at bottom. Dr. Swift, a pretendedly rigid churchman, came under this class. His first production, the tale of a tub, has been often quoted as anti-christian. In his *Argument for not abolishing christianity*, he speaks thus. "Who is there that believes or says that he believes, or would have it said that he says he believes one word of the matter." He affected to use this stile in jest, but he was in earnest; for long after his death a copy of verses was published from *his own handwriting*, wherein he ridicules the day of Judgment. He makes *Jove* address the assembled human race in these lines:

You, who in different sects were sham'd,
And come to see each other damn'd,
(So some folks told you, but they knew
No more of Jove's designs than you.)
The world's *mad* business now is o'er,
And I resent your pranks no more.
I to such blockheads set my wit!
I damn such fools! go, go, ye're bit!

Philip, Earl of Chesterfield had the original copy of the whole poem, of which the preceding is an extract. This piece fairly mocks religion. The phrase of *So some folks told you* requires no commentator. Yet Dr. Swift wrote many sermons, hated dissenters, spoke of them upon all occasions with the utmost contempt, and inveighed against free-thinkers. After such a tremendous instance of hypocrisy, it is difficult to be certain that any man is a christian. The very persecutor himself may in his heart be a disbeliever. These remarks tend strongly to prove what Mr. Jefferson says as to the folly of persecution.

But if a system of religion is to be enforced, what sect shall we prefer? Philadelphia has three Episcopalian, three Presbyterian, three Roman Catholic, two German Lutheran, and three Quaker places of worship. We have likewise one Baptist, one Moravian, one German Calvinist, one Universalist, one Methodist, one Jew, one Free quaker, and one African meeting house. Some others have perhaps escaped recollection. Two other sects are distinct from all these, one of which never thinks about religion; the other rejects it. In such a medley of opinions, tole-

ration is unavoidable. The quakers deny baptism, the sacrament, and the peculiar holiness of the sabbath day. The Universalists, or one sort of them, deny hell. One sect denies the Unity, another denies the Trinity. In fact every sect denies something; and if all the negatives were collected, they would make a thorough system of infidelity. Yet Phocion wants to stir up the cinders of fanaticism. In the federal constitution, no notice whatever is taken of religion, excepting by two *negatives*, one in the instrument itself, and the other in the adopted amendments. The first forbids any religious test, so that by the constitution an atheist may be chosen president. The second prohibits Congress from setting up any kind of religious establishment. The whole piece betrays as much indifference about religion, as if it had been exclusively penned by Benjamin Franklin himself. It is well known that the doctor believed *nothing*. He was by far the greatest philosopher of whom America can boast. Yet all the world knew that this great man disbelieved christianity. If America should ever have an enthusiastic church-ridden chief magistrate, if such a person began to pester his fellow citizens about their articles of belief, or he would, like James the Second of England, be sent about his business. Mr. Adams is said to be a Socinian. His faith is therefore of the most slender kind. Surely Phocion would not wish to persecute Mr. Adams. An eminent Socinian preacher was once asked by the author how he reconciled his doctrine to the bible? His answer was this. "By denying so much, I am bringing these fools one step nearer to common sense."

The remarks of Mr. Jefferson in defence of an universal right of conscience do him honour. They are justified by the voice of reason, of an infinite majority of his fellow citizens, and by the federal constitution. To censure free-thinking is now transformed into a badge of party. Thus Mr. Swift, in his work on the laws of Connecticut,* after taking it up, makes a *general* attack on the personal character of Thomas Paine. A book was published in June last, in the town of Boston, by Mr. Isaac Backus, a minister of the Baptist society in the State of Massachusetts. The volume contains about three hundred pages respecting religious persecution. It proves that in some parts of New England, the public mind is steeped in the

* Book V, Chapter 7th.

foulest dregs of bigotry. Mr. Backus unfolds a scene of the blackest villainy which can be conceived. Mankind had a thousand times better dismiss religion altogether than make it the handle of such atrocious robbery. Here follows a specimen of the blessed effects of religion as *established by law*.

“ But as this has restrained our legislature from making any certificate law to exempt the dissenters from the congregational denomination from taxes to the worship, and they have put the whole power into the hands of the majority of voters in each town or parish, this iniquity has no covering left among us. For ministers are supported by worldly men, who act without any sort of religious qualifications, and therefore there is no religion in their doings. And they now violate the most essential rule of all civil governments which is, that the majority of every civil community is the body politic, and that the minority is not the body. Therefore Mr. ELLIS was never elected as pastor of the first parish in Rehoboth, from whom many thousands of dollars have been taken for him; neither was Mr. NATHAN UNDERWOOD ever elected the pastor of the second parish in Harwich, by the body of the parish, who have been all taxed to him.

“ But Mr. ELLIS's great success appears to have emboldened Mr. UNDERWOOD, and his collector seized six men who were Baptists, on the first day of December, 1795, and carried them as far as Yarmouth, where one of them was taken so ill, being old and infirm before, that he saw no way to save his life but to pay the tax and costs, which he did, and the other five were carried to Barnstable prison, where they also paid the money, rather than to lie in a cold prison all winter. And these things moved many to pay said tax, rather than to be strained upon. Though as all did not do it, their collector went with aid to the house of one of the Baptists, when he was not at home, Jan. 8, 1796, and seized a cow for a tax to said minister; but his wife and daughter took hold of the cow, and his wife promised to pay the money, if her husband did not, and they let the cow go, and she went to Mr. UNDERWOOD the next day, and paid the tax and costs, and took his receipt therefor.”

This is the kind of work that provoked Thomas Paine to write his *Age of Reason*. It is plain enough that Ellis

would rather burn people alive than let them escape contribution. This is the monster INTOLERANCE, which the French reformers have so completely demolished; and its overthrow is the very obvious reason why the clergy of all countries and classes are, though with many honourable exceptions, enemies to the French revolution. The citizens of Pennsylvania may thank the good sense of William Penn that they also are not sent to jail in winter for non-payment of tithes; that they also are not dragged from home, at the hazard of their lives, at the nod of a parson; that their wives and daughters have no occasion to relieve cows from the gripe of an ecclesiastical highwayman. This is the kind of government that Phocion would vindicate, and which Thomas Jefferson abhors. The story is not yet finished. Mr. Backus goes on thus.

“ Yet four days after, the woman and two daughters, one of whom was not there when the cow was taken, were seized and carried before authority, and fined seven dollars for talking to the collector and his aid, and taking hold of the cow while they had her in possession, so that they let her go. These things we have had very distinct accounts of, and if there is the least mistake therein, let them point it out in welcome. Another instance in the County of Plymouth, is similar to these in one respect, though not in others. The minister of a parish lately incorporated, was never chosen by the majority of the inhabitants therein, nor by many who are taxed to him, one of whom was lately seized to be carried to prison, but he paid the money, and others are threatened with the like treatment.

“ Before this distress was made for the salary of said minister, he got several Baptist ministers to preach in his pulpit, and seems to be in earnest to draw them into compulsory measures also. Yet the line of his parish was extended eight or nine miles from this meeting, in order to take in two valuable lots of ministerial lands, which lie near a Baptist meeting, where a Baptist minister is settled. These are a few of the evils which have come from the practice of confounding the church and world together, about the government of the church, and the support of religious ministers. Whereas if the civil government would protect all its subjects impartially, without supporting any ministers by tax and compulsion, all true belie-

“ vers would lead a quiet and peaceable life in all godliness
 “ and honesty, and the power of other men to oppress them
 “ on religious accounts would be taken away.”

In a late charge to the grand jury of the county of Berks, Judge Rush quoted Montesquieu to demonstrate that the Christian religion is *necessary* for the support of public morality. “ The penetrating genius of Montesquieu,” says the learned judge, “ taught him to entertain sentiments very different from those of the *Age of Reason*.” In another place he quotes Bacon, as an advocate for the Christian religion. But Bacon is supposed to have been a concealed Deist. Montesquieu, in his *Persian Letters*, makes a violent attack on the Holy Scriptures. Nay he offers an express defence of suicide. This is the writer quoted against the *Age of Reason*. It is needless to enlarge on this mode of citation. The judge likewise speaks thus: “ *Christianity*, we are told by our law-books, is *part* of the “ *law of the land*.” The constitution is antecedent and superior to law-books, and declares that the law of the land has nothing to say to Christianity. These same law-books will probably tell Judge Rush that a king and parliament are essential for the making of laws; but he ought to remember that he is not in England, but in America.

Alluding to the French, the judge remarks that Mr. Paine “ has by an attempt to overthrow all religion, indirectly endeavoured to justify their *blasphemous endeavours to extirpate it*.” The French have made no such endeavours. This has been proved in *British Honour and Humanity*. There are some singular characters elected in America to the office of *Judge*. Thus Judge Chase has been sent for from Maryland to a seat in the Supreme Court of the United States. Upon an average through the year, at least five hundred curses per day are pronounced against this magistrate in the state of Maryland. For one article, it is said that he procured the passing of a most iniquitous bankrupt law, and that he was in his own person, the first bankrupt who took the benefit of it. Again, Judge Wilson is another member of the Supreme Federal Court. His exploits as a land-jobber are universally celebrated. As their natural and merited termination, he was, in December, 1796, in the custody of the city marshall of Philadelphia. Dr. Redman was a judge in one of the courts of this city. About a year ago he fled the country for numerous

acts of theft. Here comes Judge Rush speaking untruth and nonsense, as fast as he can, and displaying an utter want of information on every topic that he touches. His charge concludes thus: "Save us, gracious heaven, from such patriots, and the extension of their baneful principles among us!" Save us, gracious heaven, from judges, whose names are synonymous to swindling, from land-jobbing and thieving judges! Save us, from Judge Rush, who quotes Montesquieu before he reads him, and who, under the pretence of recommending religion, has grossly slandered the greatest nation in Europe! An extract from this profound charge, containing the passages above quoted, has been printed in several newspapers. What are we to think of the Lancaster judges, who wanted to cheat William Brown out of six hundred and eighteen votes? They, no doubt, are all sound Christians. Beccaria seems to have had about as much religion as Montesquieu. — But like him, and Bacon, and a thousand other writers, Beccaria was obliged to trim his stile to the feelings of the public. In his famous treatise, he makes a formal apology for saying nothing about a certain species of *crimes* and *punishments*. He fairly confesses that *he durst not*. These punishments were a branch of the same family with the seizure of the baptist's cow.

Phocion, on p. 37, quotes the following passage from the late farewell address of the President: "Of all the dispositions and habits, which lead to political prosperity, *religion* and *morality* are indispensable supports. In vain would *that man* (he seems to point at *Jefferson!*) claim the tribute of patriotism, who should labour to subvert these great pillars of human happiness, these firmest props of the duties of men and citizens." The pointing at Jefferson is a very honourable insinuation, and if just, would reflect very great credit on the judgment and candour of General Washington. The way in which his name is treated by a certain set of people reminds one of a story told in the American war. Some British partisans were taken prisoners, and obliged to stand before the American soldiers, while the latter levelled their muskets over the shoulders of the British. "This," said the letter writer, "is a good specimen of Yankee cunning." Thus the name and authority of General Washington are held up as a buckler, while Phocion levels his arrows of censure against Mr. Jefferson. The latter was four years Secretary of

State under the President. He served him with fidelity and success. His defence of the President against Genet, his extent of information, his acuteness, his elegance, excited and merited universal admiration. He tore the bandage from the eyes of the public. He exposed the indifcretion and rashness of that minister in their proper colours; and was the immediate instrument of his recall. He then resigned an office which he could not hold without sinking annually twenty thousand dollars. Mr. Jefferson is not opulent, and this of itself afforded a sufficient motive for his retirement from an active public life, in which he had been engaged for about twenty years. That there was a political difference between Mr. Jefferson and the President, Phocion has the honour of being the first and exclusive discoverer. That General Washington, under the mask of recommending morality and religion, should "labour to subvert" the character of a friend who had rendered him so many faithful services, is a very odd supposition. Phocion acts yet worse than the Yankies aforesaid. They shot *over* a prisoner. He shoots *through* him. Mr. Jefferson was formerly objected to *if* he was a moral philosopher. Here he is objected to as an enemy of morals. Our Presidential candidate must not be a moral philosopher. He must not be an enemy to morality. Phocion should tell what he ought to be; but he only tells that Mr. Adams is a fit character. Mr. Adams has wrote three thick volumes on the philosophy of government; if philosophy were a tangible substance, his guilt and incapacity would be three times greater than those of Mr. Jefferson, who has printed but one thin volume. If the President, in the above passage, pointed at Jefferson, he likewise pointed at his deceased friend Dr. Franklin. Dr. Franklin, though an excellent moral writer, was no Christian; and thus the President would be degraded by this indecent scribbler, into one of those jackalls who gnaw at the memory of that philosopher. Phocion, p. 38, is very angry at Mr. Jefferson for saying that all the religions in New York and Pennsylvania are "*good enough.*" What should he have said? that they are all *bad enough.* Would that alteration improve the sentence? Or *indifferent enough.* Would that make a better of it? There have been in the world six thousand different tribes of Christians. Only one of the whole multitude can be right. Each of them has

five thousand nine hundred and ninety-nine chances against one of being in the wrong.

As the opinions of the President are of great weight, we shall here quote a passage from an English clergyman to shew the impropriety of setting down as a bad man every person who disbelieves in the Christian religion. Dr. Conyers Middleton was librarian to the University of Cambridge and was one of the greatest men whom England ever produced. Mr. Gibbon, in his pamphlet in vindication of some passages in his history, speaks of this writer in these words. "The works of Dr. Middleton are to be found in every library, nor is it impossible that a diligent search may yet discover some remains of his antagonists." Let us now observe how frankly this divine speaks about free-thinkers. "Every man who has practised the world, and used the conversation of men of letters, must needs have met with many persons of much seeming honour, virtue, and sobriety of life, who partly profess to have scruples, partly an entire disbelief of *all* revelation."

After pointing out the folly of railing at sceptics in order to reclaim them, he adds, "Is not such treatment sure to have a contrary effect? being conscious to themselves that your charge upon them is both *false* and malicious."*

No sentiment can be farther from the fact than that men disbelieving the Christian religion are incapable of social intercourse. A number of people in every state in the union are of that sort, and they are not to the vulgar eye worse or better than their neighbours. The House of Representatives of Congress contains a portion of this sect. The same is the case in Europe. A judge in the Scots Court of Session, lately deceased, used sometimes to tell his confidants that, for the last thirty years, there had been but *one* Christian on that bench. Lord Kaimes, of the same court, is well known in the literary world. Once, upon a circuit, his Lordship being at church heard a sermon that highly pleased him. "I believe," said he, "that were I to reside in this town the preacher would make me a Christian." Dr. Robertson, the historian of America, was a clergyman. He lived in intimate friendship with David Hume, who, like Montesquieu, published a very indecent and worthless

* Dr. Middleton's Miscellaneous Works, quarto edition, vol. 2, p. 240.

vindication of suicide. Robertson corresponded with the illustrious Edward Gibbon, another deist. Their correspondence has been lately printed. In a letter marked No. 97, the Doctor writes thus: "I am much pleased with your mentioning my friendship with Mr. Hume. I have always considered that as one of the most *fortunate* and *honourable* circumstances of my life." There are good reasons for affirming that Robertson himself was an infidel. Examples of this kind are infinitely numerous. This shews the insignificance of attempting to stigmatize, as something uncommon, the alleged infidelity of Thomas Jefferson.

This pamphlet is so choaked up with malice, absurdity, and untruth, that to expose them all is here impossible. The task would fill a book as large and almost as tiresome as the *Defence* of Mr. Adams. On p. 23, Mr. Jefferson is accused of having made an attack on that book. To cast water on a drowned mouse has the appearance of ill nature; but as this performance did, perhaps, find twenty or thirty readers in the United States, it became the duty of a good citizen to explode it even for the sake of these happy few. It is needless to say any thing in this place about *The Defence*. The friends of Mr. Adams would be gladder than any body else at seeing the last copy of it reduced to ashes. Its recent removal from the garret of a bookseller to his counter will be but transitory. The prodigious noise at present made about it is like the snuff of a candle, which has the clearest glimmering just before it goes out.

But what was this attack by Mr. Jefferson? When he received from Europe a copy of the first part of Paine's *Rights of Man*, he sent it to a bookseller in this city to be re-printed. He also sent a card which contained the following words: "I am extremely pleased to find it will be re-printed here, and that something is at length to be publicly said against the *political heresies* which have sprung up among us. I have no doubt our citizens will rally a second time round the *standard* of common sense."

Phocion says, that "there was not a man in the United States acquainted with the insinuations which had been propagated against Mr. Adams, who did not instantly *apply the remark*; and the signal was so well understood by the partizans of the writer, that a general attack immediately commenced." P. 23. The legislative principles of Paine and Adams are as opposite as they can be. Mr.

Jefferson, by approving the former, tacitly admitted his detestation of the latter. He was entitled to express his opinion, for the people of this country have not yet begun to wear padlocks on their lips. We should be in a precious situation if an American Secretary of State durst not censure an elaborate encomium on British despotism. Instead, of this hint, Mr. Jefferson ought to have taken the bull by the horns. He should have pointed out *Rights of Man* as an antidote to the political arsenic of *The Defence*. Are we not at liberty to pass our opinions on every book, and on every subject? There was no use in fighting eight years for liberty, if she must lick the spittle of a Vice President. Phocion himself has attacked the Notes on Virginia most violently; yet, as this writer imagines, Mr. Jefferson was not warranted to drop a hint against Mr. Adams. This is the height of inconsistency. Thus much in defence of Jefferson, after admitting the suppositions of Phocion. But it seems that the Secretary of State denied having any design to criticize Mr. Adams. In a publication quoted on the same page by Phocion, Mr. Jefferson protested that "the gentleman alluded to never once entered his mind." If Mr. Adams had come into his recollection it would have been proper to name him, and to warn the public against such a pit-fall.

But let us now look at the conduct of Mr. Adams himself, and see whether it entitled him to any peculiar tenderness. He published a reply to Mr. Paine, which his friends have since affected to disown. But that point is untenable. An account of the trial of Thomas Paine at London, was re-printed at Philadelphia in 1794, by John Parker. Two passages in that pamphlet place the character and principles of John Adams in a clear point of view. They are as follows.

"I beg leave to read you a few extracts from a work written by Mr. Adams, an American gentleman, in answer to Mr. Paine. This, in my opinion, successfully attacks the most daring assertions of the defendant. [*The Attorney General read a few extracts.*"] P. 13.

Mr Adams never wrote a letter to that Attorney General in his life and never saw the Man.

"The Attorney General read the contents of a third letter, which he had received from THE SECOND PERSON in America (Mr. Adams). Having had the honour of his acquaintance, the Attorney General said, I wrote to him relative to the prosecution, and in answer I was informed

“ that it was the wish of Thomas Paine to convene the
 “ people of Great Britain, who had neither government nor
 “ constitution, for the purpose of prevailing upon them to
 “ adopt a constitution similar to that of France, and to
 “ establish a government proceeding directly from the so-
 “ vereignty of the people.” [Thomas Paine before this
 trial had, in his *Address to the Addressers*, published the plan
 of a British convention, so that Sir John Scott was not un-
 der the necessity of sending to America for such information.
 But his object in reading the letter was to lug in the name
 of the SECOND PERSON in America.] “ Mr. Paine had also
 “ called on the citizens of America, to rally round him, in
 “ order to afford assistance to Great Britain, in the comple-
 “ tion of a revolution. These facts were admitted by Mr.
 “ Erskine.” P. 15.

Thus we find an American Vice President degrading
 himself into a *British spy*, a common runner in the troop of
 informers to the English Attorney General. Like other
 spies and informers he completes his character by transmit-
 ting false intelligence. Thomas Paine never called on the
 citizens of the United States to assist the British in a revolu-
 tion. That people, when they are ripe for it, will do the
 business much better without foreign aid. The local situa-
 tion of America makes it impossible, or next to it, for her
 to interfere. Behold an American Vice President whetting
 the British scalping knife against the author of Common
 Sense!

Be ready Gods! with all your thunderbolts.

Every man of judgment in America must hear of such
 conduct with contempt. Every honest man, every friend
 to the late revolution, must hear of it with indignation and
 horror. No trait of behaviour can betray a more distem-
 pered understanding, or a heart more purely diabolical.
 The transition of character is so extravagantly monstrous
 that *there cannot be two opinions about it*. Even Tories, the
 very men who, themselves, would be proud of acting such
 a part, must, as coming from an American Vice President,
 regard it with abhorrence. If a Lord Chancellor of Eng-
 land were to solicit the office of executioner, he would not
 make a more abrupt descent from his proper dignity than
 that so happily achieved by Mr. John Adams. Sir John
 Scott had long been considered as at the bottom of the scale
 of moral degeneracy. This was a mistake. If nothing less

than a British informer can serve American citizens for their president, it would be better to send at once for John Reeves, and instal him *neat as imported*.

Perhaps the future President may continue his correspondence with the English Attorney General, and support the traffic of information upon a more extensive plan. In common reason, this ought to be expected. You may know Hercules, says the proverb, by the print of his foot. The informer against Thomas Paine cannot hope or decently ask for the confidence of American citizens.

We have seen Adams *versus* Paine. Let us turn to Paine *versus* Adams.

“ John Adams has said (and John, it is known was always a speller after places and offices, and never thought his little services were highly enough paid), John has said, that as Mr. Washington had no child, the presidency should be made hereditary in the family of Lund Washington. John might then have counted upon some sinecure for himself, and a provision for his descendants. He did not go so far as to say also, that the vice presidency should be hereditary in the family of John Adams. He prudently left that to stand upon the ground, that one good turn deserves another *.

“ John Adams is one of those men who never contemplated the origin of government, or comprehended any thing of first principles. If he had, he must have seen that the right to set up and establish hereditary government never did, and never can, exist in any generation at any time whatever; that it is of the nature of treason, because it is an attempt to take away the rights of all the minors living at the time, and all succeeding generations. It is of a degree beyond common treason. It is a sin against nature. The equal rights of generation is a right fixed in the nature of things. It belongs to the son when of age, as it belonged to the father before him. John Adams would himself deny the right that any former deceased generation could have to decree authoritatively a succession of governors over him, or over his children, and yet he assumes the pretended right, treasonable as it is, of acting it himself. His ignorance is his best excuse.

“ * Two persons to whom John Adams said this told me of it. The secretary of John Jay was present when it was told me.’

“ John Jay has said (and this John was always the sycophant of every thing in power from M. Girard in America to Grenville in England), John Jay has said, that the Senate should have been appointed for life. He would then be sure of never wanting a lucrative appointment for himself, nor have had any fears about impeachments. These, are the disguised traitors, that call themselves federalists*.”

Phocion proceeds with his remarks on the card from Mr. Jefferson to the bookseller in these words. “ The consideration that a citizen of the United States had written, in a foreign country, a book containing strictures on the government* of that country, which were regarded by IT as libellous and seditious; that he had dedicated this book to the chief magistrate of the union, that the republication of it, under the auspices of the Secretary of State, would wear the appearance of its having been promoted, at least of its being patronised by the government of this country, were considerations too light and unimportant to occasion a moment’s hesitation.” p. 24. To vindicate Mr. Jefferson may require a retrospective explanation.

When the American revolution began, it was opposed by a numerous party. For the tories of 1775, many obvious and reasonable excuses can be offered which will not vindicate the tories of 1796. Within the last twenty, and especially within the last seven years, more real light has been diffused on the genuine principles of political freedom than the world ever saw before.

Rights of Man is only a continuation, on a very improved scale, of the doctrines advanced in *Common Sense*. The latter was the creed of the patriots of 1776. By the friends of liberty it was universally read, admired and quoted. *Common Sense* had a success and an importance never enjoyed by any former political pamphlet in the annals of history. Many ministers of New England preached sermons which were little more than extracts from it. When the first copies arrived in the American camp at Cambridge, they were perused with transport. An officer then in that army observed lately that a reinforcement of five thousand men would not have inspired the troops with equal confidence as this pamphlet did, in the justice of their

* Thomas Paine to George Washington, p. 12.

cause, and the probability of their ultimate success. To reprobate *Common Sense* is precisely to reprobate American independence.

In the victories of this pamphlet, the force of original genius was strikingly exhibited; the unadorned charms of truth and reason obtained a complete triumph. Before the plain arguments of an obscure individual, whom his enemies childishly reproach as a discarded exciseman, the pensioned and titled advocates of royalty sunk into forgetfulness. The greatest orators of antiquity did not more tyrannically command the conviction of their hearers than the writer of *Common Sense*: nor did Taliesin or Ossian, at the head of their fellow soldiers, ever inspire more inflexible enthusiasm. Like the Draper's letters, a pamphlet of sixty pages, a pamphlet which has neither the fascination of poetry, nor the elegance of prose, irresistibly seized the helm of public opinion, and tore up resistance by the roots. The summons to liberty and to vengeance resounded from New Hampshire to Georgia. From the degraded appendage of a foreign monarchy, the thirteen United States rose to independent existence. Thomas Paine was the Tyrteus of that revolution.

When the peace of 1783 secured the freedom of the United States, immense crowds of those Americans who had resisted the revolution, attempted to get back into this country. Mr. Alexander Hamilton assumed, on this emergency, the office of Receiver, and Protector General. To this he might be instigated by motives of humanity. The usage of American refugees in Nova Scotia, passes all description. Many flocking particulars yet unpublished might be given, but they are foreign to the point. Let us observe by the way what reception tories would have met with from "the second person in America." The Annual Register for 1781, part 1st. p. 259, contains the copy of a letter from Mr. John Adams, dated Amsterdam, the 15th of December, 1780, to Thomas Cushing Lieutenant Governor of Massachusetts. It was found on board of the prize brigantine Cabot, and contains the following paragraph. "It is true, I believe, what you suggest, that Lord North shewed a disposition to give up the contest, but was diverted from it, not unlikely, by the representation of the Americans in London, who, in conjunction with their coadjutors in

*This Letter
was a Forgery.
No such Letter
was ever written*

*to Mr Cushing or any other Man
by John Adams.*

“ America, have been thorns to us indeed on both sides of the water ; but I think their career *might have been stopt on your side, if the executive officers had not been too timid in a point which I so STRENUOUSLY RECOMMENDED AT FIRST, namely, to fine, imprison, and hang ALL inimical to the cause without favour or affection.* I foresaw the evil that would arise from that quarter, and *wished to have timely stopt it.* I would have HANGED my own brother, if he had took a part with our enemy in this contest.”

In 1776, Mr. Adams declared the same sentiments to Colonel Josiah Parker, now of the House of Representatives of Congress. The conversation took place at the War Office in Philadelphia, in presence of Major General Lee.

After such a fact has been laid before the public, we shall certainly hear no more of the peculiar barbarity of Robespierre. The Frenchman committed most of his murders while the axe, under which he at last fell, was hanging over his head. Mr. Adams, an ambassador in Holland, was beyond personal danger. At the distance of five years and a thousand leagues, when his passions had enjoyed every opportunity of cooling, he continued to recommend a system of extirpation. The very idea of such a plan must make every tory instinctively clap his hand to his windpipe. It must have ended in the massacre of one half of the people in America. The scheme was by a thousand degrees more bloody than any thing which could enter into the imagination of Robespierre. Many strong and obvious arguments may be advanced in apology for the tories of 1776. The wrongs of America, a few points excepted, were but in speculation. The country endured some restrictions on its foreign trade. The introduction of negroes and felons was an unpardonable insult. But then the provinces paid no internal taxes. They were thriving as fast as they could thrive. They had, at no expence, the protection of the British army and navy. The Bostonians refused, with propriety, to pay the duty upon tea ; yet many wise and virtuous men were of opinion that it would have been better to pay these *three-pences* than to risk a revolution. The destruction of the tea itself was a scandalous outrage. The town of Boston ought to have indemnified the East-India Company for the robbery committed by a mob. This, and many other circumstances, tended to disgust thinking peo-

ple with the plan of a revolution. Much more might be said in behalf of those loyalists whom John Adams was so impatient to hang.

When a general amnesty restored these people to the bosom of their country, that part of them who had not discovered the inaccuracy of their old doctrines, beheld Thomas Paine with mortal abhorrence. They were too feeble, too detested, to form a separate faction; but a series of accidental circumstances has obtained their admission into the ranks of that powerful party who wish to call themselves federalists, who take every decent opportunity, and sometimes opportunities not very decent, of preferring the interest of Britain to that of France. Their strength lies in New England, as that of their opponents lies in the Southern quarters of the Union. New York, Jersey, Pennsylvania and Maryland are more equally divided. The old tories, secure under the banner of their new allies, have within these two years begun, upon all occasions, to revile the American revolution. Pamphlets have been printed and sold in our sea-port towns, for which but eight years ago, the writer would have had his house pulled down. Hence it is that we hear such extravagant abuse of the Southern States, and the frequent proposals for a disjunction. Hence also the torrents of oblique satire which are constantly levelled at General Washington, though one of the boasted badges of the whole party is an extreme respect for the President and Senate.

The censure of Thomas Paine cited from Phocion, proves him to be one of the unreformed refugees, who have incautiously been suffered to enter the federal phalanx. He is one of those gentry who would equally rejoice in sending both parties to perdition. He wears the regular uniform of the Tories of 1776. The second person in America always excepted, no man in his senses can be a friend to the American revolution, and a personal enemy of Thomas Paine. He may condemn the *Age of Reason*, and welcome. He may find other faults with its author, for every man has some blemish, and almost every man has many. But the man who wishes in the lump to revile Thomas Paine and his writings, is an enemy to the country. He wishes to censure American independence, and as a reward for such an audacious attempt, nothing but his insignificance ought to save him from punishment. After betraying the cloven

foot of British loyalty, for such a being to argue, either in the wrong, or even in the right, upon the choice of an American President, is an affront offered to the common sense of the public.

Referring to the paragraph last cited from Phocion, the first clause says that *Rights of Man* was regarded as *libellous* and *seditious*. By whom? By the government whose deformities it exposed. In this point of view, condemnation was honour, and applause ignominy. On the same principles, the same government condemned the declaration of American independence, which was certainly more offensive to its feelings, or rather to its passions, than any one piece ever written by Thomas Paine. Here the British Cacus comes fairly from his hiding place. The next line, according to the *federal* custom, tries to bring in the President. "That he had dedicated his book to *the chief Magistrate* of the union. There was no harm in doing so. The chief magistrate never complained of Mr. Paine for giving him that distinction. They were in habits of epistolary correspondence. They had been intimately acquainted for at least fifteen years, and had, upon a thousand occasions, expressed the highest mutual esteem. General Washington had no reason to be offended with this work, or to disapprove of it in any respect. The supposition is an insult on his name. Mr. Paine every where speaks of him in the warmest terms; and contrasts his disinterestedness in accepting no salary with the prodigality of the Kings of Europe.

"That the republication of it, *under the auspices of the Secretary of State*, would wear the appearance of its having "been promoted, at least of its being *patronized by the government of this country*." Mr. Jefferson had no cause to be ashamed of his sentiments. He does not bear about him a character of that cast. He is not like some Janus-faced politicians, who praise American liberty in one sentence, and the medly British government in the next. Phocion well knows that if England had conquered America, the skulls of her legislators and generals would at this day have been sticking on the spikes of Temple bar. Yet he calls upon the citizens of America to detest Mr. Jefferson, for wishing to expose that cannibal despotism. This is one of the very traits in the public life of Mr. Jefferson which will most ardently recommend him to the confidence of

every honest man. He does not correspond with English attorney generals; but if he did so, he would not send them packets of palpable and malicious untruths for the purpose of injuring a man who stands high in the first rank of the preservers of America. He would not have hung up without distinction all American Tories; for he knew that many of them, though misinformed and misled, were men of worth and probity; and that they acted on principles which, in their wrong conception, were pure and honourable. Surely Phocion will in this point prefer the clemency of Mr. Jefferson to the Culloden proposal of our Vice President. It must come home to his personal concerns. Upon an interesting crisis Mr. Adams might have kept him in a disagreeable *suspence*.

With what face could Mr. Jefferson, or any man pretending an attachment to the American revolution, presume to reprobate *Rights of Man*? That great and blessed event is mentioned throughout with the highest praise. Its principles are held up as an example deserving to be copied by all mankind. General Washington affords a constant theme, as one of the principal actors in it. To allege then that he would be afraid of giving his opinion about it is the height of insolence. It is degrading him to the level of Phocion himself, to the level of a British tory skulking in the ranks of an American party, to the level of a pamphleteer who separates his name from his publications with the sollicitude of a forger, while he reads in the newspapers a description of his bank notes. Another deliberate attack on the President is perpetrated by railing at the French revolution. In his reply to Citizen Adet, at presenting the flag from the Committee of Public Safety at Paris, the President says "My anxious recollections, my sympathetic feelings, and my best wishes are irresistibly excited whensoever in any country I see an oppressed people unfurl the banners of freedom. But above all, the events of the French revolution have produced the deepest sollicitude, as well as *the highest admiration*."

Hampden, as quoted by Phocion p. 50, says, that Mr. Jefferson was "an *enthusiastic* admirer of the French revolution, without ever surrendering the independence and self-government of America even to forward that glorious cause." Phocion, in reply to this extract, has, on p. 57, the following remarks. "The President of the

“ United States ought to be an *enthusiastic* admirer of no “ cause, but that of *his own country*.” [This remark applies exactly to General Washington, expressing as above *the highest admiration*.] “ Enthusiasm, in a politician, is closely “ allied to error and passion, both of which are the *bane* of “ good government ; but enthusiasm for a *foreign country* “ leads *directly* to subservience and devotion to *foreign inte-* “ *rests*.” [What worse *subservience* can there be than that of commencing spy for an English attorney general ? Mr. Adams wrote an answer to Paine’s *Rights of Man*, and the attorney general read extracts from it in vindication of the English government. Thus Mr. Adams is not only a runner but a writer in the British service. This is *subservience* in the strongest sense of the word.] “ A chief magistrate, “ enthusiastically *attached* to France will therefore soon be- “ come a devoted *tool of France*.”

The word *attachment*, cannot, in the violent sense, be inferred from Hampden, who is careful to say that Mr. Jefferson is an *admirer* &c. “ without ever surrendering the “ independence and self-government of America.” The twist is, on this account, unfair. But, striking out that epithet, the whole passage levels directly at the President, who tells the world that his *sympathetic feelings*, and *his best wishes* had been *irresistibly* excited by it. To pronounce then a person so ardently admiring the French cause as unfit for *chief magistrate* was going every length except roundly naming *George Washington*. A more unequivocal mode of reproach cannot be invented. Nobody can fancy that the President intended an universal approbation of every thing done in France for the last six years ; though all the murders committed in that country during the above period do not come within a tenth part of what has past, in an equal space of time, in the British province of Bengal. It is not necessary to suppose that general Washington approved the execution of Louis the XVI, or many other proceedings. Yet he professes an enthusiastic admiration of the revolution, taken upon the whole. For this reason Phocion declares him *unfit to fill his office*, as he either is, or will soon become a *devoted tool of France*.

“ Let them (the people) read his (Mr. Adams’s) Defence “ of the American Constitutions, and I shall be content to “ abide by their verdict.” p. 25. To read three large and very dull volumes is rather an oppressive task ; besides cast-

ing away six dollars on a book not intrinsically worth as much clean paper. But one may get through Parker's edition of Paine's Trial, in fifteen minutes. To any man whose opinion is worth asking, *that* must be quite enough.

"To prove that Mr. Jefferson has been for many years "a determined opponent to the federal Constitution, and of the "measures which have followed from it, under the administration of Washington", [This is one of the grossest accusations against the President ever made. First, he had so little regard for the Constitution, as to place and keep its *determined enemy* at the head of affairs; or second, he had so little judgment as not to see that Mr. Jefferson was an enemy of his measures. The first supposition would divest him of probity; the second would strip him of common sense. This is exactly the way in which the *federal* party cut and carve on the character of a man whom they pretend to admire. If General Washington had found a Secretary of State thwarting his views in any manner dishonourable or improper, he would not have kept him any longer in his service. He has too much spirit, too high a sense of the dignity of his station, to endure such treatment. We all know that when he judges it proper to do so, he can dismiss a *Secretary of State* on five minutes warning. The supposition of his truckling under any of his ministers, is highly impertinent. It is flatly saying that he suffered public business to be mismanaged, and the public interest betrayed with his eyes open to such acts. It is degrading him into another Louis the thirteenth, *hating* and *fearing* Cardinal Richlieu. From these remarks we return to the quotation.] "I will now proceed to shew that he "was the institutor and patron of the National Gazette "published in Philadelphia, the object and tendency of "which were to *misrepresent* and *traduce* the administration of it, *except in the single department of which he was the "head*, implicating in the most virulent censure the majority of both houses of Congress, the heads both of the "treasury and war departments, and sparing not even the "chief magistrate himself." A chief Magistrate mean enough to put up with such base usage would, by his pusillanimity, most richly deserve it. When a King of England changes his ministers, he is obliged to take in people who have been reviling him, and exciting or hiring newspapers to revile him, for seven years together.

Thus the present Duke of Richmond did nothing else, during the whole war of 1775. Thus Loughborough, the present lord Chancellor, was at the head of that abandoned faction who wanted to commit official parricide by thrusting a son into place over the head of his father, and to act upon the supposition that George the third was irrecoverably mad. This is the system of legislation abhorred by Mr. Jefferson, and admired by Mr. Adams. The charge implied by Phocion is, *in a great measure*, not merely incredible and absurd, but morally *impossible*. No degree of human testimony could prove this to be true, any more than it could prove that a circle has four right angles. The accusation implies that Mr. Jefferson opposed every measure excepting those in his single department. In a very great number of cases, the whole three departments are equally embarked. For instance, in building our celebrated six frigates, the first question was whether they ought to be built? This belonged to the Secretary of State. The next point, and one equally momentous presented itself. Could money be procured to build them? The Secretary to the treasury was best able to answer this question. The entire management of the building of these frigates fell of course to the Secretary at war. Thus the head of every department had an equal claim and an equal right of being consulted. Such instances occurred constantly; and hence, in a multitude of measures, the whole three departments were alike responsible. The proposition is self-evident. There cannot be a quibble about it. But if there could be such a suspicion, it has been removed by Mr. Randolph. His Vindication observes, that, on an emergency of consequence, the whole heads of departments were consulted, and the decision went by a majority. Thus the characters of the three departments were very often inextricably linked together.

Phocion objects to Mr. Jefferson, as being opposed to the head of the treasury department. About the 22d of December, 1796, John Adams spoke to a gentleman in Philadelphia, in these words: "THE JUNTO AT NEW YORK
" have never wanted to make me President. They wish
" to get in Pinckney, that they may make an *Automaton* of
" him." At the head of this junto is Alexander Hamilton, and this is the way in which our Vice President speaks of him. Mr. Jefferson could not have behaved with much

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less ceremony. We shall give another anecdote of Mr. Adams. When ambassador at London, he once gave an entertainment to a party of friends. General Washington was spoke of in the most extravagant stile of compliment. The landlord kept silence for some time; but at last he broke out as follows: "General Washington did service and had merit; but it was often the merit of a *puppet*. He acted often *as he was directed*. If you will look into that Revolution, you will find that JOHN ADAMS had as much a share of it as any body else." A gentleman who heard our Vice President employ these words is now in this city. So much having been said in this chapter against Mr. Adams, it was but fair to hear what he could say for himself. The word *puppet* undoubtedly refers to the lessons which General Washington received from Baron Steuben, and other foreign officers. The position of the American army at Long Island was most unmilitary. While a boundless continent was to be defended, the troops were penned up in an island, where they were in constant danger of being surrounded by the irresistible naval force of Britain. The dexterity of their retreat diminished the universal derision that every British reader of newspapers felt for their previous temerity. At that æra, General Washington had never seen as much service as would have entitled him to a captain's commission in the British army. Hence he could not be blamed for the want of knowledge, that he never had an opportunity of acquiring. His subsequent repulses at Brandywine, at Germantown, and at Monmouth, shew that he has still to learn the art of gaining a victory.

In his speech to Congress, on the 7th of December, 1796, the President recommends the building of a navy. "It would seem," he says, "as if our trade to the *Mediterranean*, without a protecting force, will always be insecure." A frigate of thirty-two guns, destined for the Dey of Algiers, is said to be at present on the stocks, at Portsmouth in New Hampshire. Two years ago, the government of this country sent him a ship freighted with ammunition. [Some grounds have been suggested for suspecting that a similar cargo was but lately taken on board, at the port of Philadelphia.] The question was debated in the House of Representatives with the precaution of clearing the gallery. This did not hinder the particulars from being related by a member, and government may, if it

can, deny the fact. It has already been remarked, that even England finds it cheaper to bribe the Algerines than to fight them. One reason for this conduct was, in the above explanation, omitted, from fear of becoming tedious; but as the President, since that chapter was printed, has revived the idea of a naval armament, it shall now be given. The base of the triangle of Africa extends from the Straits of Gibraltar to the isthmus of Suez considerably above a thousand leagues, besides the windings of the coast. This affords an infinite variety of harbours or landing places for the Corsairs of Barbary. They have great numbers of large boats, with which they can at any time row from the shore, when a vessel comes near it. They have even gone to an extensive distance from the coast. Tracing a vessel in the night-time by her lights, they can board and carry her off. They can with these boats, run into landing places, where no ship of force is able to follow them. Being low built, they are not seen far off at sea. This gives them an advantage in surprizing vessels. So great is the dread entertained of these pirates, that were only one ship out of forty in the Levant trade taken by them, insurance would very much rise, and seamen would hardly be found to take up the adventure. Hence, the English navy never could secure its commerce, while the expence of attempting compulsion would exceed the value of the Levant trade. The Dey of Algiers is very willing to restrain the Corsairs at a reasonable price, because he thus gets the whole booty into his own hands, and shares it out as he thinks fit. His personal interest is by this means connected with that of the mercantile nations. For these reasons, the powers of Europe have, in general, the Dey in their pay. This is the only mode of securing American trade in the Mediterranean which can ultimately and practically succeed. All the frigates that the United States can fit out will, in the shape of hostility, be unequal to this object. These remarks are here made, not for the sake of contradicting General Washington, but to prevent Congress from plunging a second time, into a bottomless abyfs.

On the 15th of December 1796, Mr. Wolcott sent to the House of Representatives a statement of public expences for the year 1797. Two thousand seven hundred dollars are charged as the pay of three captains of frigates

now on the stocks. Two of them are of forty-four guns, and one of thirty-six. The wages and subsistence of the crews for a year are computed at two hundred and twenty two thousand dollars. Nothing is estimated for incidents, the waste of gunpowder, in exercising the men, the tear and wear of rigging, and the like. The whole, even in time of peace, may safely be rated at three hundred thousand dollars for these three frigates, besides the expence of building them. Sixty such vessels, if they did nothing else, would not be able to protect American ships in the Mediterranean from the Algerines. They would cost about six millions of dollars per annum. By the Report above quoted, we learn that the public revenues of the United States, for one year preceding the 1st of October, 1796, were as follows.

	<i>Dollars.</i>	<i>Cts.</i>
For duties on Merchandize and Tonnage	6,135,936	64
Internal Taxes of various kinds	469,579	31
Post Office	58,909	84
	<hr/>	
	6,664,425	79
Dividends on the Capital Stock in the Bank of the United States are rated at } Fees on letters patent	160,000	
	1,260	
	<hr/>	
Total	6,825,685	79

This sum is already engaged. If a fleet could be built for nothing, it would be next to impossible to find funds for supporting it. Were the sixty frigates cast into twenty line of battle ships, they would still be no match at sea for the navy of either France or England, while their enormous expence would run the utmost hazard of oversetting government. To build a few frigates would be trifling. To build a navy is at present impossible.

In this estimate only ninety three thousand three hundred and fifty dollars are stated for military pensions. This is a very moderate sum. The fourth clerk at the mint is struck out. As far more business is done now than was done formerly at that place, this omission proves that the fourth clerkship was nothing but a job. One of the former clerks has had his salary raised from five to seven hundred dollars. A refiner and melter is added at fifteen hundred

dollars. The whole expences of all kinds are computed, for the year 1797, at twenty five thousand dollars, For this outlay, we have a few dollars inferior in workmanship to the abundance of Spanish dollars that we have already. We have likewise a few cents, which might have been got from Birmingham at a tenth or perhaps an hundred part of the charge which they now cost to the Union.

From this long digression, we return to Phocion, charging Mr. Jefferson with setting up a seditious newspaper. "In the *support* of this paper, thus *hostile to the government*, in the administration of which he held so important a trust, he did not scruple to *apply the money* of that very government." Phocion p. 48.

To cut the story short, Philip Freneau, entered upon a salary for the office of translator of foreign languages to Mr. Jefferson, on the 17th of August, 1791. The payment was two hundred and fifty dollars a year. On the 31st of October, 1791, Freneau set up a National Gazette in this city. This is the charge of corruption brought against Mr. Jefferson.

The Federalist, formerly quoted, has already given to this accusation a better answer than it deserves. A few gleanings are here offered. Phocion remarks that there was another Clerk in that department, who understood the French language. He alludes to Mr. George Taylor, first clerk in that office. Mr. Taylor, besides translating French, does already more business than he is tolerably paid for. His ostensible salary is but eight hundred dollars a year. He cannot keep up a style of living such as he is entitled to support, under twelve hundred dollars. If he has not some addition to that amount, his place is a losing bargain. In summer, 1795, long after Freneau had quitted Philadelphia, Mr. Randolph engaged in the same business, Mr. John Craig Miller, a native of Scotland. The allowance was to be five hundred dollars. In a few months, Mr. Miller found the birth so troublesome, that he gave it up. Thus much for the grand affair, of bribing Philip Freneau. But this was nothing to the wasteful plan of Mr. W. Smith, Mr. Giles & Co. for giving *four thousand Dollars* per annum to a taker of Congressional debates. The talk of translating French has once more been faddled upon Mr. Taylor. Almost all the clerks in public offices have only five hundred dollars each, while a journeyman printer in this

city earns from nine to twelve dollars per week, and while federal Senators have six dollars per day for doing almost nothing. For the first six or eight weeks of a session they meet at eleven o'clock in the forenoon, hear prayers, sit in conversation or sometimes in silence, for half an hour, or an hour together. Their Clerk makes some trifling minute. The house then adjourns, not from a spirit of idleness but from positive want of something to do. They come down stairs, by half-dozens, so early as twelve o'clock, and stand in the lobby looking at the Representatives. This is a defect in the Constitution. Fifteen hundred dollars per week are often cast away, besides the salary of their President.

Some notice has been taken of the oddity of Phocion in assuming that signature. Alexander Hamilton has likewise taken it, as also Camillus, Davila, and perhaps many other celebrated names. The last is one of the most unbecoming that he could have chosen: On inflammatory topics, Davila writes with perfect candour. From his history we can hardly say whether he was a Catholic or a Protestant. The massacre of St. Bartholomew is described in the calmest terms. Davila makes no appeal to the passions or prejudices of mankind, nor sets up any political demi-god for the adoration of posterity. He has not perhaps even a single attempt at the sublime, the ludicrous, or the pathetic. He displays comprehensive brevity, picturesque simplicity, a purity and dignity of composition rejecting ornament and above it. With the most happy clearness of arrangement each portion of his narrative springs out of its predecessor; while, under the sway of a superior intellect, the reader feels his attention irresistibly hurried along.

It would be desirable for some pamphleteers to make themselves acquainted with this author. Tit for Tat, a late pamphlet, abuses the whole Irish nation. The preface snarls, among other people, at Mr. William Young, bookseller, as "one of your fine, modern gentlemen of *yesterday*." He lends no money at five per cent per month; a traffic which has ended in an hundred and fifty bankruptcies in Philadelphia, between the 12th of November, and the 12th of December, 1796.* Mr. Young was one of the four hundred

* These particulars are given on the authority of a merchant, who had access to the best information. Twelve persons are said to have stopt payment in a single day.

Davila

persons who signed an address to the President, thanking him for the ratification of the British treaty. He has been attacked in the newspapers for presuming to do so, because he is not a merchant. He imports large quantities of books, and is as strictly a merchant as any man in Philadelphia.

Tit for Tat sets out with defending that "*sprightly* and *ingenious* writer" who exulted in the burning of Priettley's meeting house, who wished for "another yellow fever to *strike the city*," and who calls the French ambassador a *dog*. About a year ago, this *sprightly* writer printed a Prospect from the Congress Gallery. He says that he attended closely in that place, except *during five days*. Whether he did or not is of no consequence, because the speeches in that pamphlet are extracts from the Philadelphia Gazette. In the preface he attacks "a certain Mr. Callender," who had taken down these speeches, which the writer of the *Prospect* was copying, mangling, and retailing as his own. This is the hero of *Tit for Tat*. He sent a letter to Mr. Bache, dated the 2d of June, 1795, signed a *Correspondent*. He therein arraigns himself as a blockhead, slanderer and impostor. Mr. Bache refused admittance to this production, and it was long after published by Samuel F. Bradford. It can hardly be true that the Reverend Mr. James Abercrombie is frequently lounging in the store of this man. He must, as a Clergyman, have a sense of decency, and he could find company at least as reputable as that of William Cobbett in the penitentiary inclosure.

Tit for Tat takes some notice of another pamphlet, *A Pill for Porcupine*. The *Pill* quotes, with inverted commas, a passage as from the Political Censor of May, 1796. The words are indecent, and they are not there to be found. The *Pill* attacks Mr. Hamilton in that stile which his friends would desire. The citizens of America have no concern with the private amours of an ex-Secretary, unless, like an Antoinette, or a prince of Wales, he were trenching on the national treasury to defray the expence of them. But the false citation above pointed out annuls accusation from that quarter. The writer of Harrington's letters has been hinted at by *Tit for Tat*, as the writer of this farrago. The charge is unjust.

Misapplied praise is as bad as misapplied censure. Thomas Paine, in his *Rights of Man*, has made all Europe ring with encomiums on General Washington, for accepting

no salary as President of the Union. This compliment is an insult. The President uplifts the whole of his salary. His household accounts are regularly, as it is said, given in to the treasury. They ought to be printed. The public have a right to see in what way these twenty-five thousand dollars are expended. If the President, like all other officers of government, had contented himself with taking his salary, and saying no more about it, the mouth of enquiry was forever shut. But this way of uplifting it, merely as the net charges of his household, conveys a reproach on the generosity of the nation, as if he did not receive enough. It holds out a plausible pretence for giving an additional income to his successor. The last French Constitution has wisely prohibited the farce of an officer pretending to serve the public for nothing. Let the Presidential accounts be printed. The Union will then be able to decide whether the salary should not be reduced to seven or eight thousand dollars. Some topics are too bad for ridicule; and obvious inferences should sometimes be left to the sagacity of the reader.

In his answer to the address of the Senate, on the 12th of December, 1796, the President speaks of his *disinterested* zeal for the service of America. The word is misplaced. His immense property, and his large salary, were closely connected with the safety and prosperity of the Union. If he had accepted no salary, he might indeed have partly spoke of disinterestedness. The receipt of two hundred thousand dollars is an interesting object to any man in America. When we hear so much of gratuitous services, it calls to mind some remains of the old Continental army, with wooden legs, and salaries of fifty dollars per annum. This class of people have, in every sense of the word, been treated but indifferently. On the 5th of January, 1797, Mr. Macon said in Congress that hundreds of old soldiers, unacquainted with the statute of limitations, had since it expired, petitioned the house; that their claims were just, but excluded by that law.

The mass of substantial oppression and misery, which has resulted from this act, requires some additional remarks. While we are deafened about the services and virtues of Washington, of Adams, of Jefferson, and other political favourites, the exertions of superannuated bravery, and decrepid heroism, are forgotten or contemned. Against

an honest debt *prescription* is the most ungracious of all pleas. In particular, it bears the height of injustice against an annuity for a single life. In domestic situations, a debtor advancing *prescription* against a just debt, would be regarded as a sharper. But in the affair of the Continental army, the creditor is one of those persons who preserved your property from confiscation, your wife and children from beggary, and your neck from a halter. And then you take advantage of a shambling plea of *prescription*! This plea was fabricated and modelled by *yourself*. It was framed to save your money, and to hinder you from being pestered with endless applications from vagabond mendicants who can no longer shoulder a musket. This is the stile in which *the most enlightened* nation in the world rewards its creators. Let Congress consult their consciences, and square them, if it is possible, with their Shylock statute of limitations.

Tit for Tat proceeds to revile the French nation, and revolution, to calumniate Mr. James Madison, to praise Alexander Hamilton; to attack Republics antient and modern in the mass; to magnify the Western insurrection, and to express good wishes for the British king. Mr. Madison is an agent in the pay of France for overturning the Federal Constitution; and getting the country into a war with Britain. His salary cannot be less than ten or fifteen thousand dollars per annum. Yet he is, at the end of this session, going to resign his seat, and of course the prodigious income which he at present enjoys from the executive directory. Tit for Tat attacks Mr. Carey for the way in which he has republished Guthrie's Geographical Grammar. The credit of the book is fixed beyond the reach of Tit for Tat. The public are indebted to Mr Carey for his anxiety to present them with an useful publication. For a part of the additions he gave two dollars per printed page, a rate of payment for literary composition not usual in America. William Cobbet says that he wrote a large piece against Priestley for nineteen pence. Abuse on the memory of Dr. Franklin has, for some time, been an essential ingredient in every *federal* pamphlet. Accordingly, Tit for Tat attacks Dr. Franklin in the dialect familiar to many American men of letters. Of General Washington he says that "a discontented soldiery, who idolized

“their general, would have given him a sceptre, if he had chosen it.” p. 31. NO!

Tit for Tat makes in p. 27, a long foliloquy for Mr. Carey when supposed to begin his edition of Guthrie. “May ten thousand devils fly away with them all,” is one of the phrases in that passage. He farther introduces Mr. Carey saying that he fled from Europe for “modestly ex-citing the people to cut one anothers throats.” This is the stile that must be adopted by every writer who expects to become popular with *federal* citizens. Mr. Carey wanted his countrymen to assert their civil and religious rights. He is, on that account, a just object of dread with friends to the American constitution. Tit for Tat goes on in these words

“This national business dispatched, we will now attend to the claims of master SWANWICK.—It is of no importance to me, whether his father was a tide waiter, or a waggon master, or a methodist teacher, or all three in one.” p. 27. It seems that the correction and improvement of Guthrie was a *national* business. It was so, if we consider the unacquaintance of Americans with the state of Europe. A respectable citizen of Philadelphia said, some time ago, that he had always wondered where the French found men to fill up their armies. He now understood that there was in France a city called Bourdeaux, which contained as many people as Philadelphia. A well dressed man affirmed, not long since in the state house yard, that Amsterdam was the metropolis of Germany. On the 14th of December, 1796, it was warmly asserted in Congress by Dr. Ames, and Mr. W. Smith, that Americans were *the most enlightened* people in the world. The very starting of such an idea betrayed the excess of vulgar vanity. Mr. Parker, Mr. Swanwick, Mr. Christie and others opposed this most wretched self-encomium. Speaking of France, Mr. Parker justly said, “what are we beside that great nation, that we should call ourselves ‘the most enlightened people in the world?’” To a public so pregnant with conceit, it was indeed a national business to give them a comprehensive survey of the old countries*.

* Mr Carey was author of the letters signed *Harrington*. This is one probable reason for the attack on him in Tit for Tat.

As for what is said about the late Mr. Richard Swanwick, the currency of such pamphlets cannot injure his memory, but they reflect disgrace on a nation capable of admiring them. It is not shameful to be a waggon master, or even a waggon driver. Where is the impropriety of being a methodist preacher? That sect, or at least a part of them, inculcate the purest and most liberal sentiments of religion. The treatment which Mr. John Swanwick has met with sets human nature in a shocking point of view. For many years past, he has made public donations of various kinds, and in particular to places of worship, at an expence that would have bought a very handsome farm. The clergy of Philadelphia were courted to his table. He wrote verses in praise of bishop White, and newspaper paragraphs in praise of Ashbel Greene. He was on terms of intimacy with the reverend Mr. James Abercrombie. But then he was a friend to the French revolution. On this account these gentlemen have countenanced the writings of an author who reviles the memory of his dead father.

Some years ago, there was published under the title of M'Fingal, a series of rhimes. As America labours under a dearth of poetry, our citizens gave that name to this bundle of doggerel, which is not altogether worth four pages of Swift or Butler. The Democratiad hath since dropt from the same pen. Speaking of the family of Mr. Livingston, a member of Congress from New York, the writer has these lines :

“ A race so sunk, by habit so deprav'd,
 “ So long by vice and infamy enslav'd,
 “ So weak, so haughty, pompous, proud and mean,
 “ *Indeed* so black, so shameful and obscene,
 “ That nought but strength omnipotent can save
 “ Their name deep sinking in oblivion's wave.”

In the United States, book-printing is still but in its infancy, notwithstanding the rapid steps which it has taken since the year 1783. Half a century of diligence will be required for filling up this chasm. Volumes imported from England are expensive. Pope, Dryden, and their rivals are not, as in the British Islands, to be met with in every parlour. The connoisseur who has never seen Raphael or Reynolds, may be excused for admiring the portrait of Al-

bert Gallatin in the Political Censor. A similar apology may be made for the American public enduring M'Fingal and the Democratiad. There are reasons for thinking that within two centuries, the United States, will form the most numerous and intelligent nation in the world. But Hercules in his cradle is not a match for Hercules with his club. What buffoonery is it to compare the state of literature in France or England with its infantine progress in this country? Carey's American museum was one of the most useful publications that the new world has seen. The Columbian Magazine shifted through various hands. Judge Hopkinson, Alexander Dallas, and other men of talents exerted themselves to support it. If each successive editor could have afforded to distribute the publication *gratis*, it might still have existed. An *effective* number of the subscribers had not as much as common ability, or common honesty, as to pay their accompts. For that reason the Columbian Magazine expired. The American museum sunk under the same distemper. About three years ago the printer of the Philadelphia Gazette struck off, at one time, above two hundred subscribers for non-payment. This is a pretty account of the most enlightened nation in the world. What has America to oppose to the transactions of the Royal Society of London, or to any ten volumes published by the French Academy of Inscriptions? The first step which a country makes towards knowledge, must be a consciousness of the extent of its ignorance.

A greater quantity of indecent abuse is published by the Hamiltonians, than by the friends of the French revolution. No person has been hired to write the genealogical history of John Adams, of Theodore Sedgwick, of Mr. W. Smith, or of Dr. Ames. Yet waggon loads of slander come from retainers on the federal side of the question. The glaring untruths which have been printed against Mr. Jefferson, Mr. Madison and others, would fill a book as large as Douglass's reports. One or two traits shall be given of the antipathy in some of the federal party, to liberal discussion.

Francis Bailey of Philadelphia, has, for some years, been printer to the assembly of Pennsylvania. At their meeting, in December, 1796, a different choice was carried by a majority of three members. Mr. Bailey's crime was the having spoke with respect of Thomas Jefferson,

His son had perpetrated a similar offence. The office is not worth much. A printer in this city was asked to stand candidate. He refused.

On the 16th of December, 1796, William Hamilton, printer of the Lancaster Journal, published in his newspaper an address to the public. He states that during the Presidential canvass, he admitted without exception, the pieces of both parties. But he was a friend to Jefferson, and as being such, the friends of *order* resolved to hunt him down. "I had dared," says he; "to express my opinions, and I must be silenced." They wanted to ruin this printer, to break up his office, and turn him destitute. They circulated what Mr. Hamilton calls "a persecution paper." It was in these words. "Sir, From the date hereof, you will please to discontinue our subscription to your paper. Our respective accounts, as soon as sent in, will be *paid*."

The close of this information is very doubtful. Every newspaper in Philadelphia, New York, and Baltimore has been infested with a multitude of swindlers, who never pay, and who never had the smallest intention to pay their accounts. They are the pest of newsprinters. They juggle from one newspaper to another, whenever their credit falls short, with a habitual intention of cheating every body. A story is current as to John Holt, a newsprinter in New York. He wrote a sharp letter to a subscriber, threatening to stop his paper, as he had not been paid one farthing for the eighteen years from its commencement. "What an ungrateful rascal!" exclaimed the country gentleman. "I was one of the first subscribers that he had; and now he threatens to stop my paper."

The prosecution against William Hamilton was conducted, as he says, by Charles Smith an attorney, and Robert Coleman a candidate for the electorship of a President. After these truly federal citizens had done their best and their worst, the paper was sent to the editor with *twenty-seven* names. About two hundred persons had been applied to. Within a few days after, Mr. Hamilton received thirty-five new subscribers. What meanness, what infamy, to attempt the destruction of a newsprinter! It is only by hearing both sides, that an opinion can be formed. Nay, if either the Aurora, or the Gazette of the United

States could be suppressed, the surviving antagonist would almost cease to be worth a perusal.

The friends of *order*, as some people call themselves, have broached many whimsies, which will not bear examination. About the 1st of May, 1796, a Connecticut newspaper contained the following words: "Our informant further adds that Colonel *Lyman* would hardly be secure in travelling into that part of the district, as it would be difficult to restrain the *people* (a precious kind of people to be sure!) from dressing him in *tar and feathers*." This is the Mr. William Lyman already mentioned*. It is almost time that the writer of the above quotation should be dressed at the pillory, or the whipping post. Colonel Lyman was against the British Treaty. There can be no use for electing Representatives, unless they are to deliberate, and to vote according to their judgments.

What name then are we to bestow on those beings, who wish, like this Connecticut scribbler, to raise mobs for the purpose of domineering and insulting over Congress? Such are certain banditti, who call themselves *federalists*, and friends to order. It is often very difficult for a Representative to know what his constituents would be at. On the British Treaty Mr. Lyman made an excellent and unanswerable speech. He does as much honour to his constituents as they can do to him.

The State of Connecticut pretends to despise Virginia, because the latter authorises slavery. Connecticut herself has some thousands of slaves. She could set them free with perfect regard to her internal safety, and the expence or loss would be trifling. Her slaves are kept in bondage, and yet, with astonishing *firmness*, Pelham, Webster, and other incendiaries of that country, inveigh without discrimination at the Southern States, for holding that kind of property. In Virginia an immediate emancipation would be nothing short of insanity. Those citizens of Connecticut who rail and write in the above style may be compared to the miser who refuses one cent to keep you from starving, and gravely wonders why his neighbour has not presented you with a thousand guineas.

* Supra. Chapter III.

CHAPTER X.

Camillus. His furious Stile. Defence of the House of Representatives. Of Mr. Adams. His violent Democracy. John Jay. Remarks on his admirable negotiation. Speech of Mr. S. Smith. Curious Vindication of Jay by Mr. W. Smith. Mr. Nicholas. His apology for the President, and Senate in accepting the British treaty. Particulars as to the acceptance of it. What treatment Jay would have met with under a monarchy. Inconsistency of the federal party. On Camillus. Oddity of his Conduct. Objections to making a treaty with England, even on the most favourable terms. Impetuous Stile of some Speakers in Congress. Explanation as to the Representative of Philadelphia.

MR. Alexander Hamilton has been precipitate in accusation. In *Camillus*, No. 1. he speaks thus: "It was well understood that a numerous party among us, though disavowing the design, because the avowal would defeat it, have been steadily endeavouring to make the United States a party in the present European war, by advocating all those measures which would tend to widen the breach between us and Great Britain, and by resisting all those which would tend to close it." And again, "It was certain that it (the British treaty) would become the instrument of a systematic effort against the national government and its administration; a decided engine of party to advance its own views at the hazard of the public peace and prosperity." In No. 2. Mr. Hamilton has this passage. "It was to be feared that the war (with Britain) would be conducted in a spirit which would render it more than ordinarily calamitous. There are too many proofs, that a considerably party among us is deeply infected with those horrid principles of Jacobinism, which, proceeding from one excess to another, have made France a theatre of blood." There are numerous other hints to the same effect. No principles can be worse than those of Noah Webster, the friend and pitch-pipe of *Camillus*. Webster is the organ of "a considerable party among us." He affirms that about fifteen members in Congress are not

entitled to their places, and he recommends a separation between the Eastern and Southern states. That such is the design of Webster has already been proved. As for the accusation of wishing *to involve this country in a war with Britain*, better evidence ought to be given than the bare assertion of Camillus. When Mr. Madison's resolutions were debated in Congress, the hazard of such an event was often affirmed, but no speaker pretended that a British war was the object of Mr. Madison. If there had been any colour for such a charge, it would have resounded from every quarter of the house. The first resolution was carried, and thus if Mr. Madison was in the wrong, he yet erred in reputable company. We are farther told that the war would have been more than usually calamitous, because *a considerable party are deeply infected with the horrid principles of Jacobinism*. This party could not have behaved more execrably than the British actually did during the last war. But *in what place*, were these barbarities to have been committed? The first consequence of a rupture with England would have been an invasion of Canada. The American army would probably have been received by the French inhabitants with open arms; and there is no reason for supposing that any peculiar barbarity would have ensued. Yet if Simon M'Girty, and some of his comrades had met with the consummation of justice, an oppressive sympathy would not have been excited. The Americans would not have found an opportunity of practising *by land* their horrid principles. England will not disembark an army for territorial acquisition. At sea, American privateers cannot act worse than the British actually do. What then was the meaning of this cant about a war *more than usually calamitous*, and about *the horrid principles of Jacobinism*? This hint applies to the majority of the House of Representatives, who resisted the treaty. It chimes in harmony, with the remarks of Mr. Sedgwick, the friend of Mr. Hamilton, as to the legislators who get their places by cajoling and deceiving an ignorant herd, It agrees with the suggestion of Webster that fifteen Southern Representatives should be turned out of their seats, and with the general yelp that Messrs. Madison and Gallatin, with one half of the Representatives were *in the pay of France*. This operation is contradicted by a decisive testimony. If Fauchet scorned to buy even a

Secretary of State, who is accused of thus offering himself to sale, he would not be at the trouble of purchasing any body else. The very discovery, therefore, which has brought such a torrent of reproach on Mr. Randolph, is the clearest vindication of Mr. Madison and his friends. Fauchet speaks with detestation of the request for money, but in another part of his confidential dispatches, he says "Madison is an honest man."* From Fauchet, censure and praise are equally despicable. But as the fortunate interception, for such it certainly was, of these dispatches from the French ambassador to his employers, has afforded much triumph to some people, it was an object to point out the extreme inconsistency of the deductions made from them. A bribe was *refused*. Ergo, a bribe was *granted*.

We now return to Mr. Hamilton's accusation of *Jacobinism*, and the efforts of his friends Mr. W. Smith, and Mr. Sedgwick, to degrade the general character of the House of Representatives. *Horrid principles of JACOBINISM!* In the political lexicon of Mr. Hamilton's party, the word *Jacobin* is equivalent to a *cut-throat*. Thus it seems that *a considerable party amongst us* are either *cut-throats*, or wish to become so. Nor is this a solitary expression. A thousand newspaper paragraphs, all in the same stile, might make a reader in Europe fancy that Albert Gallatin goes to Congress with a tomahawk and a scalping knife at his belt.

Why should there be so much dislike to the House of Representatives? Mr. Sedgwick can give no good reason for classing the Senate as a race of *superior beings*. Truth offers no ground for such a distinction. Where shall we find better men? A great part of the Representatives served against the mother country in the war. In this, or the last House, there have been eight or ten generals. Colonels fit as thick as stars in the galaxy. The present Speaker, though but a young man, is an old officer. He received sixteen years ago, public thanks from General Washington, for his conduct at that affair in Jersey where the British shot a parson's wife. The Senate, also, has military members. One of its Generals is accused of perjury; a second gave up his seat that he might have time to conduct the prosecution. The fabric of American freedom

* Randolph's Vindication, p. 46.

is thus wisely committed to the care of men who raised it by their bravery, and cemented it with their blood.

“ While this generation lasts, there will always exist among us, men irreconcilable to our present national constitution.”* This is true. A dearth of hemp, or some other reason, saved the necks of many who now vindicate the insolence of Britain, and revile with impunity the constitution of America. But as Mr. Hamilton was the patron general of refugees, and prevented the revolutionary besom from sweeping so thoroughly as it should have done, he is now too late in the desertion of his clients. Camillus, No. 2d, says that “ No one has forgotten the systematic pains which have been taken to impair the well-earned popularity of the first gentleman (Mr. Adams). Mr. Jay, too, has been repeatedly the object of attacks with the same view.” Camillus is another martyr. Let us look at each of this triumvirate.

Mr. Adams, in his *Defence*, vol. 1, p. 117, after recommending a king, and a Senate, or house of peers, goes on thus: “ Erect on the other side of them an impregnable barrier against them in a House of Commons, fairly, fully and adequately representing the people, who shall have the power both of negating all their attempts at encroachments in the legislature, and of withholding, both from them and the CROWN! all supplies by which they may be paid for their services in executive offices, or even the public services carried on to the detriment of the nation.” Here is red hot democracy. On these principles, the House of Representatives might not only stop the President's salary, in revenge for his having signed the British treaty, but this passage contains a complete recommendation to the same assembly to have stopt the supplies requisite for carrying that paper into effect. On this latter point, the Representatives debated from the 13th of April to the 2d of May, 1796, as we shall see in another place. Here is the whole weight of Mr. Adams in favour of the right to withhold not only appropriations but *personal salaries*. People are much mistaken in thinking our Vice President unfriendly to the House of Representatives. According to *his* system, that House would become a gulph absorbing every thing. After such a declaration, no mortal ought to have suspected Mr.

red hot

* Camillus, No. 1.

Adams of aristocracy. By way of experiment, the House may begin with striking the Vice President's five thousand dollars out of the appropriation bill, for 1797. The casting vote of Mr. Adams rejected in the Senate that part of Madison's resolutions agreed to by the Representatives; and also the subsequent act for prohibiting commercial intercourse with the British dominions, till reparation for the maritime piracy should be granted. ✕ Sixty days of additional embargo would, as it is now ascertained, have reduced the British West Indies to absolute famine. ✕ This measure would have incurably crippled their operations against France. Thus much for Mr. Adams. Our British Ambassador comes next.

In the debates of Congress, about asking from the president the documents of the British treaty, there occurs a passage that must command more than common attention. It seems to strike at the root of this business, and to place it in a singular point of view. The speech here alluded to was delivered on the 17th of March last, by Mr. Samuel Smith. In the course of his observations, this gentleman, to enforce the necessity of producing the papers called for, put the following case, that might happen if these documents *were to be laid before the house*. "Suppose he should assert that the envoy "had no power to effect a commercial treaty; that he was "to try what terms relating to commerce might be obtained, "but positively prohibited from signing any thing, until it "should first be received by the president. Suppose he went "further and should say, that the signature of the envoy "committed this country to a situation so delicate as in some "measure compelled the senate to consent, and the president "to ratify. What would be the consequences? Why some "member might deny it; and the one assertion might stand "against the other."

These *suppositions* are just something less than affirmations, and the gentleman gave decisive notice that he was not talking at random. "But" said he, "are those papers secret? No. They are known to thirty senators, their secretary, and his clerks, to all the officers of government, "and to those of the members of this house who chose to "read them. Then say gentlemen *where is the necessity for "calling for them?* He answered because it was more proper "and more respectful to themselves, that they might form a "document, which the members might quote in support of "their arguments, when the treaty came under discussion;

not true

true.

ha! ha! ha!

April, 1809

“ otherwise they might be called to order or their quota-
 tion denied.”*

Thus in as many words, we are fairly told that every gentleman in Congress already knows the contents of this diplomatic budget: but that none of them can safely quote it, because the papers are not regularly laid on the table for their inspection. Is there not one man among the representatives, who has courage and justice to divulge this secret?† That there was a sediment at the bottom of the pool appeared from the anxiety betrayed to conceal it. But that the blindest may see, and the deafest hear what Mr. S. Smith wanted the world to understand, his ideas are here translated into the following plain words.

“ 1. Mr. Jay was not warranted to make a commercial
 “ treaty. 2. Mr. Jay was *prohibited from signing any paper,*
 “ till it had been examined and agreed to by the president.
 “ 3. Mr. Jay violated his trust by *making a treaty,* when
 “ he had been expressly prohibited from doing so. 4. The
 “ President and Senate disapproved of this proceeding, but
 “ were in some measure compelled to father the spurious
 “ brat of John Jay, *lest a worse thing should befall them.*”

If this is not a faithful and complete version of the extract above cited, the reader can correct it, by recurring to the original.

That Jay actually broke his instructions, we have another witness, whose reluctant admission puts the matter beyond all doubt. This is Mr. W. Smith, a zealous advocate for the treaty. His speech, as written out by himself for the newspapers, unquestionably guards as much as possible what he said on so tender a topic. But still the point maintained is extremely discernible. It is clear from what follows, that the breach of trust, though it could not be the subject of a formal discussion in the House, had produced many harangues in the lobby, and at the back of the Speaker's chair. Mr. W. Smith is plainly referring to these speeches “ not loud but
 “ deep”‡ when he proceeds thus: “ Is the object in calling
 “ for this information to discover *whether the negociator has*
 “ *conformed to his instructions?*” [If Jay's *disobedience* had not

* Bache's Debates, Part I, p. 218.

† A specimen, that sets our Envoy in a queer light, was obtained from a Southern member, and published in *British Honour and Humanity*, p. 41.

‡ Shakespeare.

been strongly objected at the fire-sides, and windows of the State house, this stile of defence never could have been thought of.] “ If so Mr. Smith was at a loss to discover how that would affect the question. Such a circumstance might be important as it related to the President, and might prevent his laying a treaty *not conformable to his instructions*, before the Senate; but being ratified by the President and Senate, all was done which the constitution required.—The instructions are private directions from him (the President) to his agent, and *whether those instructions be pursued, or departed from*, is a question only between the President and his agent. By adopting the treaty, he sanctions the conduct of his agent; by laying it before the Senate, he manifests his approbation of a *departure from his instructions*, if any such there were; which however in the present case is not admitted. †

The last fourteen words of this quotation are a feeble denial of Jay's *departure* from orders. But we find Mr. Smith, as above, in three different places, very clearly admitting that Jay trespassed his orders. Farther evidence of infidelity is useless, yet it shall be given, as it implies an honest and satisfactory defence of the upright intentions of the President and Senate, and transfers the odium of this instrument to the agent who betrayed official confidence. The proof here to be produced occurs in the same debate, where Mr. Nicholas speaks thus: “ Surely a minister is a constitutional officer, and as such impeachable. It has been said, that even if a minister had *deviated from his instructions*, if his principal approved and sanctioned the deviation, the agent was no longer responsible. The doctrine he considered as very dangerous. A minister might *violate his instructions*, in a point not justified by existing circumstances; *the change produced by the negotiation might justify the principal in accepting the treaty*; but though the latter might be justifiable, the first *could not*.” [This is sound argument, and does honour to the gentleman who suggested it. We now perceive the scrape into which our diplomatic Chief Justice dragged the President, Senate, and this country.] “ The conduct of the agent might improperly bring the principal without good cause *into such a dilemma* as to oblige him” [Notice that the Presi-

† Bache's debates, Part I. p. 19.

dent and Senate were *obliged*] “ in a manner to accept the “ treaty he had made; but its ratification could not be a “ cloak to the conduct of the minister.” Certainly not. It is impossible to shake the solidity of these remarks. It will be likewise observed, that, when Mr. Nicholas mentions the President, it is in a way more respectful than that of Mr. W. Smith; for the latter to save Jay, wants to lay the treaty to the President’s charge without any qualification, whereas Mr. Nicholas gives a proper excuse for the President and Senate. Yet *a considerable party amongst us* are continually talking of their respect for the President, and reproaching others for want of it. To this pretence of peculiar respect, the conduct of Mr. W. Smith forms a palpable contradiction.

We have now, by the evidence of three representatives, ascertained two important facts, first, that America was *put to the hammer*, though we cannot tell the exact sum at which she was *knocked down*; and second, that the Senate and President, in their own judgment, condemned the treaty. To say that they *approved* of that bargain is an abuse and perversion of words; it is a fiction. When the traveller quits his purse to the footpad, nobody calls it *a donation*. Those whom the federal constitution entrusted to transact its correspondence with foreign nations, have reluctantly accepted or submitted to, this instrument. The Senate and President did not embrace it as a positive benefit. They barely endure it as the *lesser of two evils*. Into so wretched a dilemma they have been trepanned, not by an oversight of their own, but by the gross misconduct of a confidential agent.

The arguments urged in favour of the treaty, as arising from its intrinsic and *personal* merit, have thus received a shock. A majority of the Senate consent and *condemn*. The violent struggles in the mind of the President have been described by Mr. Randolph. At length he also ratifies what his choice would have rejected. Their envoy had committed the Senate and President to a crisis so delicate, that they were, in some measure, *compelled* to sign the treaty.

It is very natural to presume that this plan for breaking the President’s orders was hatched in America before Jay sailed for Britain. He durst not have hazarded a step so audacious, and so dangerous, unless he had been previously assured of strong support at home, and if any individual

can be suspected as his associate, every circumstance points to Alexander Hamilton. Mr. Dayton said that "he had long ceased to entertain *any respect* for the negotiator."* He had reason to say so. At Berlin, such an ambassador would have been sent to Spandau, or the caverns of Magdeburg. At Vienna, he would have swept the streets in chains. At Petersburg he would have been knouted, and sent to Siberia. At Constantinople, he would have lost his head. Nadir Shaw would have cut out his eyes; and at Fez, he would have been impaled. In ancient Rome, such an envoy would have been projected from the Tarpian Rock. At Athens, he would have descended the Barathrum. In London, he would have been harrowed under an impeachment more tedious than the siege of Troy; and after giving, like Hastings, seventy thousand pounds sterling to lawyers, he would, like that Pharaoh, have been dismissed to impunity and a pension.

It is no wonder that the President has become tired of his office. Such usage from those, whom out of all mankind he had selected for his confidence, might have converted benevolence itself into misanthropy. Many addresses have complimented him on the attainment of a bargain so pregnant with advantages. These must have been almost equally distressing with the rebellion of his envoy.

The mode of forming this treaty is the most notorious insult that was ever committed upon any nation. To be betrayed or plundered by a foreign people is nothing new. But as Shylock says, "My own flesh and blood to rebel!" An envoy breaking his orders, and, in the very teeth of his employers, patching up a treaty! What immeasurable contempt is here exhibited for the American executive! Yet his excellency, the governor of New York, has perfectly understood his ground. He returns in triumph, and laughs at the scrape into which he has embarked the Senate and President; while from dread of British war, *they* are forced to ratify an instrument which they in reality disapprove.

Yet the advocates of this John Jay have choaked up the newspapers with complaints of democratical insolence, and dirges on the violation of Presidential dignity. It is the fortune of some political characters to run through every

* Bache, Part II, p. 350.

species of inconsistency. On the floor of Congress, they remonstrate against wounding the feelings of the President. At the same instant, they endeavour to hold him up as a scape goat between John Jay and universal detestation; while his character is indebted for its protection and its triumph to Mr. John Nicholas, whom they would most injuriously wish to represent as his enemy. They imprison a land jobber for attempting to bribe members. They next stand up and tell the world that Representatives obtain their seats by cajoling and deceit, and in their own speeches on the British treaty, they tell us, that two thirds of the House are traitors; while their Apollo discovers that an equal proportion of citizens of America are *deeply infected* with the *horrid principles* of assassination. They affect a zeal for the constitution; yet they suffer their puppet Editor of the Minerva to recommend a disjunction of the Eastern and Southern states. They wish to promote public unanimity, yet they suffer this writer to declare the whole citizens of Virginia, rascals, without even excepting the President; and an assembly of the citizens of Philadelphia are pronounced capable of *any degree of moral turpitude* for daring to give a civil toast to the patriotism of Virginia. At Philadelphia, an English pamphleteer is likewise encouraged to libel whole states by the lump, to vilify the principles of the American revolution, and one half of the members of Congress. His works are circulated with the assiduity of party zeal; and Webster and Russell vamp up their newspapers with farcical praise of his abilities. This is the *consistent, wise, and honourable* conduct of certain political pilots. Having discussed Mr. Adams and Jay, we now come to the last of the triumvirate, to Camillus himself.

Mr. Alexander Hamilton, late secretary to the treasury, resigned his office from the scantiness of his salary. He resumed his profession as a practising lawyer, from the necessity of earning an income adequate to the expences of his family. He has written thirty-nine long letters, signed Camillus, in defence of Mr. Jay's treaty. We never hear of a farmer, who drives thirty-nine oxen to market, that he may give them away for nothing. We as little hear of a lawyer, who goes through thirty-nine pleadings without the receipt, or at least the promise of a fee. Mr. Hamilton could not afford to do the business of his country at a salary

of three thousand five hundred dollars a year. But if he will not sell his time at that rate, he will still less expend it *gratis*. He must be paid for his labour, and more handsomely also than when he was fiscal secretary. His friends assure us, that Mr. Hamilton resigned his office in order to save money; there is reason to believe their assertion. But such a man will not write an octavo volume without a pecuniary gratification. To fancy that the letters were spontaneous, is the very height of absurdity. They are an elaborate work, and may have cost Mr. Hamilton six months of study. This portion of time was, on a moderate calculation, worth fifteen hundred dollars. It will be hard to guess what party in America would advance that sum for these letters; and no man gives up a large salary, that he may work without receiving any. This is not surely the way to support a family. Mr. Hamilton by such a digression, was doing his utmost to discourage clients from employing him. When the reader has attentively reflected on these particulars, he will begin to conjecture who paid for the writing of these letters.

Mr. Bruce, the Abyssinian traveller, inscribed his work to George the third. Pëter Pindar attacked his elaborate dedication, and interrogates the author thus: "Pray *what might his majesty give you for it?*"

When we see an American Envoy, who, without any apparent motive, breaks his orders, and clandestinely signs a British treaty, when we see a thread-bare lawyer* forgetting to earn daily subsistence for his family, that he may write two hundred newspaper columns for nothing one cannot help recurring to the query of Peter Pindar, *Pray what might his majesty give you for it?*

As to whether the treaty was a good or bad one, the wisest and best men in this country have been considerably divided. A minority of forty in Congress, are just as likely as a majority of sixty, to be on the right side of a question. People will naturally form an opinion of some kind; but on a subject so complicated, and that has produced such an uncommon degree of controversy, men of sense will be extremely cautious how far they condemn those who dissent from their judgments.

* The friends of Mr. Hamilton represent him as in a state of comparative poverty.

A Treaty with Britain, even on the most favourable terms, was unsafe and improper for America. Were a thief detected in robbing your cellar, no hypocritical promises of amendment would persuade you to entrust him with the key. Britain is that thief, and the treaty is that key. To this country the cabinet of London has constantly acted with the most unprovoked insolence, and the blackest treachery. This is not the language of party, but of the whole continent; and it will in future times be the language of impartial history. Witness the incendiary negotiations of Dorchester and Simcoe with the north western Indians; negotiations denied by ministers in the House of Commons, and yet as well attested as the battle of Brandywine. This *item* has cost America the loss of some thousands of lives, and many millions of dollars.

Again. The same cabinet turned loose upon us the Algerines, a fact at first but feebly denied, and long since unanimously admitted. The seizure and confiscation of six or eight hundred American vessels, in the midst of profound peace,* harmonizes with every other feature in the naval history of England. This is the nation selected for the ally to America. Had the late treaty been as favourable to the United States as diplomatic phrases could make it, had Grenville engaged to quarter our whole national creditors, on the three per cents of England, the objection would still have been equally forcible. *Your faith has been so frequently broken, that we dare no longer trust you.* This argument is decisive and unanswerable against making any treaty at all.

Farther. The clause that provides for payment of debts due to British merchants in America, before the war, has been generally condemned; but not to its proper extent. The clause provides, that if the original debtor cannot pay, the treasury of the United States must pay for him. The former part of this stipulation seems to be admitted as just, and yet a retrospect will convince us that it is not so. Britain wantonly declared war against America, and disembarked her banditti. They behave not like soldiers in ordinary war, but like Tartars and Cossacks. They burn

* Some Merchants in the United States say, that several of these vessels were forfeited by the unwarrantable, or imprudent conduct of the owners or captains. This observation might perhaps apply to one case out of thirty.

sea-port towns, lay in ashes the houses, barns and crops of the farmers, destroy their cattle, stave their cyder, strip their wives to the under-petticoat, and sometimes to the shift. In the mean time the British creditor sits at home, drinks success to his majesty's arms, and boasts that England is the only country in the world, where the will of *the people* is the supreme law. This creditor by himself, or his representative, votes for supplies to carry on the war, and after eight years of such work, says to the farmer of Virginia, whom his myrmidons have reduced to beggary, *Sir, you are my debtor, and you must pay me.* This is not the language of common justice, or of common sense.

It may be urged, that, among the British creditors of America, many were averse to the war, and that the above objection cannot apply to them. It is one of the lamentable effects of fighting, that innocence must often be blended in the punishment of guilt. The war itself was supported with savage enthusiasm, by a very great majority of the British nation, and of consequence by an equal majority of the British creditors; for it is needless to suppose them wiser or better than the rest of their countrymen. But even if they had all been averse to hostilities, and thus innocent of them, the American farmer was likewise *innocent*. He took up arms to support his just rights, and to carry on merely a defensive contest. It is hard to rob of their claims those few British creditors who exerted themselves to impede the war. But American debtors are equally deserving of pity; and if there must be a preference, we ought to keep it among ourselves. Besides, it is impossible to distinguish the few creditors who were innocent, from the much greater number who were guilty, as conspirators against America. But on the other side, the citizens of the United States were, in this view, universally and invariably not to blame. None of them wanted to invade Britain; their efforts were altogether defensive. The British nation wantonly began the quarrel; they conducted it like perfect barbarians. Besides the usual and inevitable calamities of warfare, they did fifty or an hundred times more mischief to America than the value of all these debts. It has been urged, as a fair compensation, that the interest of British debts was, during the war suspended, and hath since for these eight years been cut off in granting decrees for the principal sum. This was no fair

reckoning. Suppose that an upholsterer supplies you with household furniture. Next day, he sends a fellow to burn your house, furniture, and all together. The commission is executed; and in the course of it, your wife, like Mrs. Caldwell, at Connecticut farms, is intentionally shot dead, while the swaddling clothes are torn from about her sucking child. Reader, observe that these suppositions are not imaginary, but that we are treading on the firm basis of historical truth. Your upholsterer keeps possession of your house for eight years; at the end of that time he quits it, and prosecutes you in a court of law for the price of that very furniture which his emissaries had burnt. The jury award payment; but they graciously order that the accmpt shall not bear interest for the intervening eight years. A second eight years elapse, before you are able entirely to rebuild your house, while in the mean time, you must either satisfy the incendiary, or he will seize the ground lot on which it stood, and send you to jail for payment of the balance due by his verdict. This is not justice, nor any thing like justice! Yet it is exactly the state of British creditors, and American debtors. The former gave credit on the faith of being paid. The latter accepted it, on the faith of being permitted peaceably to cultivate their plantations. This was denied by the British government, and to them only could the creditor look with equity for payment. The British deafen all the world with exultations that they are the only free people in it. Be it so. Then they consented to the war, and the creditors of America, who were equally free with their neighbours, consented also.

During the revolution, the internal improvement of America not only did not advance, but it went backwards. At least a second eight years elapsed after the peace, before the United States had fully recovered their prosperity, and many thousands of families never will recover it. Thus the political advancement of America was in reality retarded by a halt not of eight but of *sixteen* years. If the British war had not happened, the country might have been as wealthy and as well improved at this day, as we can now expect it to be at the end of the next ensuing sixteen years. It is believed that the exports of America, for 1796, will be almost fifty-seven millions of dollars. But if hostilities had been averted, they would, in the natural progress of hu-

man affairs, have arisen by this time to near an hundred and fifty millions; and yet these people speak of America, as being in their debt, when the wanton mischief which they did has by an hundred degrees exceeded the extent of their claim, and has been the cause of an incapacity to pay. But say the creditors, it was not *we*, it was our government that injured you. The plain answer is, *then look to your government for redress of the mischiefs that they have perpetrated. They have reimbursed the refugees; let them do the same to you.* It may be alleged that the treaty of Paris bound the citizens of America to discharge British debts. That treaty only stipulated, that the General government shall *recommend* to the States to enforce such payment. Congress had no right to *compel*, but they did *recommend*, and thus they complied with the stipulation; but it besides has been already proved, that the claim was, in itself, unjust.

By the treaty in question, the remainder of these debts are to be cleared off, either by the American debtor, or, failing him, by the United States. The public submit to the former part of this clause, but object to the latter. Here the public is in the wrong. To make the debtor pay a single farthing would be oppression. To many families ruined by Britain, and to every class of debtors, it would be injustice. If any part of the clause has a face of equity, it is that which refers the British creditor to the national treasury. The treaty, as now accepted, is a national transaction, and if it contains a foolish engagement on our part, the nation as a body, ought to stand by the consequences of its own act, without casting the burden upon individuals.

But this clause is, in itself, a most glaring breach of the Constitution. No part of that instrument has granted the authority there assumed. The alternative of recourse upon the public treasury, is evidently and utterly impracticable. All the armies of Europe, with Camillus, and Jay at their head, never could enforce this condition. The people of America would not bear it. The only effect of this stipulation is, that by its infraction a pretence may be furnished to Britain for a quarrel with us, when she chuses to have one.

In December, 1796, it transpired, that some irregular transactions had been going forward in the Bank of Penn-

sylvania. The President. Mr. John Barclay, had intruded with cash to the extent of an hundred and eleven thousand dollars, without an official acknowledgement for that sum being inserted in the books of the Bank. At a time when money was bearing interest at three, four, and five per cent per month, this intrusion was, in the most favourable point of view, indelicate and alarming. The property of Mr. Barclay far exceeded his debts, and security has been given that the sums abstracted with the interest incurred, shall be faithfully repaid. An unexpected incapacity of concealing the abstraction produced, on the part of Mr. Barclay, a reluctant acknowledgement to the directors, of the sums misplaced. If he had been able to replace them, without a public confession, the interest, or other advantage derived from the employment of these one hundred and eleven thousand dollars, might perhaps have sunk into the pocket of this President, who certainly did not, on the ground of that transaction, aspire to a niche in the temple of history.

A subject so ungrateful has been unwillingly brought forward. Much noise has of late been made respecting the Bank of Pennsylvania. The deficiencies of Mr. Barclay were accompanied by trespasses of a similar but inferior nature. Overdrawings had taken place to the extent of about an additional hundred thousand dollars. In these, final fraud could hardly be suspected. The transactions were open. If the correspondents of the Bank were culpable for overdrawing, the clerks in the Bank were not less to blame, for suffering the practice. The whole overdrawings, with a trifling exception, are now replaced, or secured to the Bank. The story is, therefore, undeserving of farther notice.

But the compiler of the New York Minerva, that capacious squirt of federal calumny, was not to forget this opportunity. His newspaper instantly teemed with invectives against the whole democratical* party in Philadelphia. The most prominent objects of reproach were Alexander Dallas, John Swanwick and Blair M'Clenachan. Over-

* This word borrowed from Greece, is here used for want of something perhaps better. The mob of Athens was quite as execrable as the monarchy of Fez. The American constitution takes a middle course.

drawing, and a multitude of other accusations were huddled together in pompous or Billingsgate columns. Mr. Dallas has published a certificate that, at the Bank of Pennsylvania, he was in advance. As to Mr. Swanwick, a more full explanation may be required.

Since the year 1781, this gentleman has been engaged in business in Philadelphia, on an extensive scale. In the shipping and exporting line he has, for the last fifteen years, done as much business as perhaps any merchant in the city. In this country noted for insolvencies, Mr. Swanwick was honourably distinguished by punctuality of payment. It was undoubtedly mortifying to other merchants much older than himself to fall behind so young a trader in promptitude of cash. In a nation where a licentiousness of the press has no limits, a character like this could not fail to meet with a torrent of slander. But other sources of opposition and abuse were opened on a different account. Mr. Swanwick was not an implicit admirer of every political measure which has, for the last eight years, occurred in America. To the British treaty he was, in every stage and shape, inflexibly opposed. To this trait of his political conduct Mr. Swanwick is indebted for the notice bestowed upon him by the Minerva.

In the fall of 1796, Mr. Swanwick was suddenly assailed by the return of a great number of his bills from England protested, with heavy damages. This misfortune arose chiefly from the disorder into which commerce had been thrown by the war. Mr. Swanwick had shipped for Leghorn, Gibraltar, Havre de Grace and Hamburgh, large cargoes of coffee, sugar and tobacco. Depending on their safe arrival, he continued to draw upon the house in London to whom the returns were consigned. In the opinion of that house their arrival was insecure; and they were unwilling to come under any acceptance or payment of bills, till they had the effects actually in their possession. It was no wonder that they became sceptical on the score of credit, since even in London the interest of money had arisen to an enormous height. A prize of twenty thousand pounds in the British lottery was, in the beginning of the year 1796, sold for eighteen thousand pounds of ready cash. It was not payable for four months after being drawn. A discount of ten per cent for four months comes to thirty per cent for twelve months. Pitt himself had

been detected in the literal forgery of bills, falsely dated from *Hamburgh*, to the extent of seven hundred thousand pounds sterling. The particulars have been proved in the *House of Commons*, and any man less powerful than a British minister would, for this manœuvre, have endured a capital punishment.

The possession of Mr. Swanwick's returns from *Leghorn*, and other ports on the continent, required considerable time. Of course his draughts could not be regularly honoured. As soon as Mr. Swanwick became acquainted with this misfortune, he made the most vigorous and honourable efforts to retrieve it, by disposing of property actually in his possession. Many bills were discharged. While he was engaged in this task, a sudden frost shut up the *Delaware*, and excluded the arrival of several vessels which Mr. Swanwick expected from the *West-Indies*, and from *Europe*. Their arrival would have released him from a great part of those embarrassments. Such fortuitous circumstances were rendered still more inconvenient by the threatened danger of a rupture with *France*, and by the annihilation of mercantile confidence. Hence insuperable difficulties occurred to Mr. Swanwick in the payment of his notes. But these difficulties will be overcome. They require only that moderate indulgence, in point of time, which the holders of bills will undoubtedly grant.

It is to be regretted that, under such circumstances, the banks in *Philadelphia* have not power to accommodate a merchant to any effective amount. From the 27th. of *August*, 1796, to the 27th. of *December* following, the amount of notes discounted for Mr. Swanwick, at both the two banks of *North America* and the *United States*, came only to a trifle more than eighteen thousand dollars. This was in the whole only about four thousand five hundred dollars a month, and it formed but a decrepid auxiliary to his extensive engagements. Out of the banks there is no resource, excepting the most usurious and ruinous loans, at three, four, and five per cent a month. Under the expectation of his vessels arriving, Mr. Swanwick for some time resorted even to these destructive expedients. But at length, finding that the stoppage of navigation must of necessity occasion momentary embarrassment, he judged it better to submit at once than to hazard every thing by precipitate and ill advised undertakings of such a kind.

In the midst of these honest exertions on the part of Mr. Swanwick, the federal presses overflowed with gross and furious calumny. All the engines of faction were set at work to complete his ruin. In New York, that truly federal sink of slander and toryism, it was publicly advertised that he had stopt payment immediately after his re-election to a seat in Congress. The quantity of fictions printed about him would have exhausted the quire-devouring eloquence of Camillus, or the aspen tongue of Robert Goodloe Harper. It is well known that for months after Mr. Swanwick's re-election he paid with punctuality every note. He was accused of overdrawing at the bank of Pennsylvania; but on settling his bank book, a balance was declared in his favour. In extensive transactions it was likely enough that a few hundred dollars might be overdrawn. They were replaced, whenever this derangement was discovered. Public report has been loud in celebrating the generous interposition of the bank of Pennsylvania to save the credit of Mr. Swanwick. That generosity still forms a *corps de reserve*. It has not hitherto advanced into the line of action. The resources of Mr. Swanwick have as usual, been chiefly derived from himself and his own property. Mr. Swanwick was no director in that bank. He had no more influence in it than any other stranger. An accidental balance of cash might sometimes be against as well as for him. But this could arise from no disposition on his part to injure the bank. It was the natural consequence of a difficulty in keeping at all times square on large transactions, where notes suddenly came in, and swelled his arrears beyond their common level. Mr. Swanwick can appeal to all the banks, whether in general he has not appeared as punctual as any other merchant in his engagements with them. Edward Fox, late cashier in the bank of Pennsylvania, was, some time before the late commercial disturbances, in company with several merchants, who attacked the character of Mr. Swanwick as a man of business. "I never knew any of his bills protested," said Mr. Fox. "Is there one among you who can say as much? His uncommon success in trade hath, as above observed, given great mortification to persons much older in that line than himself. Among other curious accusations urged against him at the election in October, 1796, one whimpered about impiety. The rival candidate, Mr.

Edward Tilghman, has as little religion as any person in America. The affirmation is made on the best authority. Mr. Swanwick happens to be a christian, or at least he has never acknowledged himself to be otherwise. These traits are not mentioned to serve any electioneering purpose. They are given merely to shew the absurdity of some of the insinuations urged against our representative. For being a member of Congress, Mr. Swanwick is as well qualified as any person in the United States. Had they accepted his advice as to the British treaty, American commerce would not have been, at this day, the football of Europe. Mr. Swanwick did not, during the last war, act as a tory. He was never conducted as a prisoner to Annapolis. If these circumstances had taken place, we should have had a notable clutter about them. Alas! the worst accusation which his enemies can urge against him is, that his father was a waggon-master in the British army. If this had been true, it is not likely that Mr. Richard Swanwick would have cost his son four or five thousand pounds sterling.

It would be trifling to expose the idiotism of undervaluing a man because his father has driven a waggon. Mr. Liston, the present British ambassador to the United States, is the son of a farmer at Kirkliston, a parish eight miles west of Edinburgh. It is highly probable that this gentleman has, in his younger days, very frequently driven a cart. He is reported to be a person of temper and discretion altogether superior to his predecessor, Mr. Robert Hammond. As so many complaints have been made against Genet, it is but justice to say that Hammond was, at bottom, not by one iota better. Randolph has described his vulgar insolence to the President. In conversation he used to say, "your government cannot stand. It is founded on an equality of rights, and every such system has always fallen." If Pinckney had held such language in London, against the protestant succession, ministry would have found a very short way to be rid of him.

Incendiary letters against Mr. Swanwick's credit were written from this city to London. He is reproached as the son of a waggon-master. A justly respected orator in Congress has been an hottler. The circumstance favours his character, instead of degrading it. Fortune has for once done justice to genius. With such facts before their eyes, it is very foolish in

the federal party to reproach any man with the profession of his father. As to the Bank of Pennsylvania, it should not be forgotten that to Mr. Swanwick the institution is, in a great measure, indebted for its existence. In the legislature of Pennsylvania, and afterwards as a commissioner for receiving subscriptions, Mr. Swanwick was of very considerable service to it. This Bank will long remain a valuable monument of the zeal of Mr. Swanwick in conducting the finances of the State of Pennsylvania, to the great promotion of commerce. The revenue of this Bank is said to be about an hundred thousand dollars per annum. This sum nearly covers the ordinary expenditure of the State.

Having done with the representative for the city of Philadelphia, we come now to the member elected for the county. Last summer General Stewart, son in law to Blair M'Lenachan, died insolvent. The latter, without any legal obligation to do so, offered to stand in his place, and made himself responsible for the debts. About two months ago, Mr. Moore, partner to Mr. M'Lenachan, stopt payment. This accident, along with the present enormous and augmenting dearth of money, reduced Mr. M'Lenachan to difficulties. A gentleman who had volunteered in the offer of paying debts with which he had no legal concern, might have expected delicacy. After reserving as much property as was judged sufficient to pay off every claim against him, Mr. M'Lenachan assigned other portions of his estate to his son, and daughters. This was a matter of common prudence. He is far advanced in life, and in a very indifferent state of health. The instant that the transaction was known, some of the creditors held a meeting, and published in the newspapers, and by hand bills pasted up in the streets, a caution to the public against purchasing property from the assignees of Mr. M'Lenachan. If he had been a forger, or a horse stealer, he could not have been treated with greater harshness. It is to be feared that party spirit had some share in this outcry. Judge M'Kean said, a few days ago, that the whole debts of Mr. M'Lenachan are about seventy-six thousand dollars, and that the funds reserved are in his opinion equal to the discharge of them. Mr. M'Lenachan complains strongly of the treatment which he has met with, and apparently with some justice. It was instantly circulated through the

city, that he had disposed of his whole property to his children, and that his design was utterly to defraud all his creditors. But as it is admitted that he made large reservations to satisfy these creditors, it is in itself very improbable that he would have attempted to make a halfway business of it. There was much more likelihood that if the reservations had not proved sufficient, he would have found means to augment them. Some of the creditors of General Stewart have been very active against Mr. M'Lenachan; yet, but for his imprudent generosity in coming forward, they must have been very great losers. These are his thanks. The Minerva has made the most of this affair. So much for undertaking to pay the debts of a son in law.

It is not surprising that newspapers should often be coarse in their phrases, when we see the way in which members of Congress do sometimes address the house. On the 7th of March, 1796, Mr. Livingston moved for production of the official correspondence about the British treaty. In the debate that ensued, Mr. Buck spoke of the President's proclamation announcing that event. "To me," said he, "the sound is heavy as thunder, majestic as heaven, and *the height of treason* to disobey it." The connection between the majesty of heaven and a President's proclamation is not very clear; nor is the allusion perhaps very decent. The resolution was carried by fifty seven voices against thirty-five. Six gentlemen who were absent authorised Mr. Bache to say that, if present, they would have voted in its favour. Thus we have sixty-three members out of ninety-eight, who countenance the *height of treason*. A little after, Mr. Buck says, "would not our keen sensibility be as much raised, as when our virtue was assailed by the contaminating breath of Randall?" What *virtue*? The Colonel had just told us that two thirds of the house were going to commit the height of treason. So black an assembly could have no pretence to virtues of any kind. When gentlemen sport assertions, they must expect criticisms. This speech was, in cooler moments, written out by its author, or, which is the same thing, it was printed under his eye. It is now, in the midst of a thick octavo volume, on its way to the next century. The virtue of Mr. Buck was assailed by neither Randall, nor Whitney; and as a matter of discretion he ought to say nothing about them.

Mr Buck

Mr. W. Smith took up the same file. The word *treason* does not indeed occur in the printed copy of his speech; but a reply of Mr. S. Smith shews that he had been using it. The latter observes that Mr. Buck, and Mr. W. Smith had both said that "to vote for this resolution would be TREASON *against the laws and Constitution*. Why this harsh language? Did it lead to a "discovery of truth? Where did these gentlemen find "that definition of treason? Not in the constitution, for "there it was properly defined." The definition is in these words: "Treason against the United States shall "consist *only* in levying war against them, or in adhering "to their enemies, giving them aid and comfort," Constitution, Article 3d. Section 3d. Clause 1st.

The offence of Randall was his having whispered that thirty or forty Representatives were concerned in a trick. Even if the allegation had been true, it was not within twenty degrees of the height of treason, the charge so gravely advanced by Mr. Buck. The trespass on the dignity of Congress, committed by that gentleman, was in the same proportion greater than that of Randall. The consequences also of this dialect were serious and alarming. The newspapers of the party caught hold of those epithets, and they re sounded for several months through every state in the Union. The public mind fermented into a degree of madness. Great numbers of people began seriously to believe that the affirmations of Mr. Buck and Mr. W. Smith were founded on fact. We have already seen the proposal for tarring and feathering Mr. W. Lyman. The authors of this scheme might frame it in honest ignorance. To Mr. Buck we must refer as having taught them this lesson. If he had wanted to raise an *eastern* insurrection, this was the very plan which he would have adopted. In the end, the minds of the people at large were so inflamed by harangues of this sort, that a congressional acceptance of the treaty became necessary to prevent the chance of an internal convulsion. The friends of *order*, the men so recently declaiming against democratic meetings, excited clubs and societies to make every sort of noise; and the House of Representatives were finally bullied into a concurrence with the treaty. We have already a broad glimpse of its effects in the West Indies. In his speech, on the 7th of December, 1796, the Presi-

dent said that "the revenues of the United States continue in a state of progressive improvement." They depend on the security of our foreign commerce, which the natural effects of the British treaty menace with immediate destruction. This must be the *improvement* alluded to by the President.

While France threatens from without, a state of the Union threatens from within. It has already been observed that Charles the Second, after granting one charter to Connecticut, contraverted it by a second to his brother, and a third to William Penn. In the scale of natural justice, an Indian might as well have paddled in his canoe across the Atlantic, and after peeping up the river Thames, have granted a charter of England. Purchases from Indians were not much better founded. The Six nations, for instance, were a gang of barbarians. They had been constantly butchering the adjacent nations. Instead of buying lands which they had steeped in blood, it would have been an office of humanity to sweep their chiefs and warriors from the face of the earth. Thus much may be said as to the real and substantial justice of royal charters, and of Indian sales. A short time ago, the assembly of Connecticut wanted money to build a State House at Hartford. They computed the expence, and for the sum required, they sold to a private company that part of their ancient charter which runs through the State of New York, in its way to the Pacific Ocean. The sale covers a vast tract of country, as may be seen by consulting the map. New York has retained lawyers for the approaching litigation at an expence of five thousand dollars. Thus a second Luzerne business follows hard upon the first. A third sale has been made by the same state of land lying beyond New York and Pennsylvania, but within the limits claimed by the general government. A resolution for an enquiry on this head was laid before the House of Representatives, by Mr. Livingston, on the 4th of January, 1797.

It is possible that Pelham and Webster have been prompted by some projectors in this business, for nothing less than a civil war, and a disruption of the federal union could accomplish the views of these two last classes of Connecticut purchasers. Any other State, placed like Connecticut, would have cast a wistful eye to the limits of its original charter. Recurring to the doctrine of General Wadsworth, her citi-

zens are not worse as they certainly are not better than other people. But it is highly fit that the public at large should know the danger which may arise from these contradictory grants.

Much is daily printed respecting the constitution of the United States. Their laws and police are less criticized. A few hints on these subjects may be useful. A person is just now building, at an enormous expence, a palace in Philadelphia. His bills have long been in the market, at eighteen pence or a shilling per pound. This is the condition of our laws for the recovery of millions. At the same time the prison of Philadelphia is crowded with tenants, many of whom are indebted only in petty sums. America has, with perhaps a few exceptions, embraced the English laws with all their inconsistencies and iniquities. The management of the prison of this city has been celebrated. In the fall of 1796, a man who had been quarrelsome in his family was committed to confinement, for eight or nine days, by squire Coates. At the end of this time, he was sent for from jail, to be reprimanded and discharged. The answer returned was that he had made his escape. A day or two after, one of the cells being unlocked, the dead body of the prisoner was found half devoured by rats. Not one of our five daily newspapers hath taken the least notice of this murder. No enquiry hath commenced to discover, and far less to punish the perpetrator. In a city that arrogates its name from *Brotherly love**, the voice of blood cries unavenged and even unlamented.

Numerous conflagrations have of late occurred in several sea port towns of this country. To prevent such disasters patrols are at present watching, in the night-time, the streets of Philadelphia. A small alteration in the common way of forming the roofs of houses would considerably diminish the danger. Buildings are at present universally covered with shingles. In Britain such roofs are entirely unknown. Tiles would greatly retard the progress of fire from house to house, and would still more effectually secure an opposite side of the street. Slates, the common materials of a British roof, would answer the purpose even much better. Rhode Island has immense quarries of slate. Yet the town of Newport has not even a single slate roof; and only eight or nine brick houses. The use of slate is chiefly con-

* *Phileo, and Adelpbos.*

fined to hearths and tombstones. So little are these people acquainted with the real value of this treasure of nature.

In almost every town of Britain, a wooden or even a thatched roof is prohibited. If raised, it would subject the proprietor to a penalty, besides his being instantly compelled to pull it down. Such is the dread of fire entertained in that country. No good reason can be offered why towns in America should reject a similar regulation. This would indeed be but half a remedy for the misfortune, but even that is gaining an important advantage. Every person in America who has seen fires must be sensible that they chiefly, and by far most rapidly, communicate from one roof to another. The quarries of Rhode Island contain an ample protection from this evil. The security which Americans appear to enjoy while residing in large masses of wood so frequently reduced to ashes, and every moment liable to that destiny, is like the thoughtlessness of Shakespeare's cabin-boy, nodding on the top mast.

Under the British government a person may be arrested at its instance, prosecuted, and after enduring imprisonment, he is, though acquitted, entitled to no compensation. In the late case of Mr. Stone, he was said to be confined for fifteen months before the correspondent of John Adams brought him to trial. A jury declared him innocent, but the consequences involved his utter ruin. If one individual injures another, the law says that satisfaction shall be made; but when the executive of a country commences an unfounded and perhaps a malicious accusation against an individual, when imprisonment, loss of time, of health, and of character ensue, the private person is left without redress. This is the grossest injustice imaginable. Among other absurdities which America has adopted from Europe, this remnant of feudal despotism is not the smallest. These remarks have occurred from hearing a petition read to Congress in December 1796. The petitioner was George Lucas formerly a serjeant in the Pennsylvania line. He was active in checking a general desertion to Britain. During the Western Insurrection, he was seized at Bedford, brought to Philadelphia, and confined for three months. The grand jury threw out the bill against him, and he now petitioned the House of Representatives for damages. No existing law authorized them to make such a grant, and the petition was refused. A multitude of other prisoners suffered equal hardship. This is an alarming chasm in American jurisprudence.

CHAPTER XI.

Proceedings of Congress. Stenographical debate. Snuff excise. Invalid pensions. Request by the house of representatives for Jay's Correspondence. Answer of the President. Petitions to Congress in favour of the British treaty. Rising of the Session.

THIS Chapter is to contain a concise survey of the proceedings of Congress from the 25th of January, 1796, where it has been left off, to the close of the Session on the 1st of June following. If circumstances permit the publication of a second volume, there will then be given an examination of the principal laws past within that period and of some of the interesting proceedings by which it was distinguished.

The first debate worth notice, occurred on the 29th of January, 1796. It respected a short-hand writer to be employed by the house for the purpose of taking down the speeches. The salary proposed to be given was four thousand dollars per session. The clerk of the house has only fifteen hundred dollars, besides two dollars per day extra, during the term that the house sits. The plan had originated in a resolution, proposed at the end of the former session, by Mr. W. Smith. He complained remarkably both then, and at this time, of the inaccuracy of the notes taken of congressional speeches for the Philadelphia Gazette; yet he was careful not to say that his own sentiments had even in a single instance been mistaken. He could not, for Mr. Andrew Brown, printer of that newspaper, had undergone every degree of expence and trouble in order to satisfy and even to flatter this representative. Mr. W. Smith, on every important occasion wrote out his own speeches, and they were carefully printed. They were sometimes of an inconvenient length. After all this attention, Mr. W. Smith excited an attack on the character of the Philadelphia Gazette.

Mr. Giles supported the motion for a stenographer. He complained that for some weeks past, the debates had

funly to *nothing*. On the day, when Charles Whitney was discharged, Mr. Giles remarked that he had been upon his legs above a dozen times, since the debate then going on had begun, and that he had not yet been able to make himself understood. Thus in the course of two hours the gentleman, by his own account, delivered twelve speeches. Not one of them was intelligible to the house. It was unfair surely to suppose that a reporter was to understand them; or that he was to have more auricular sagacity than all the members put together. It was not surprising if debates conducted in that manner, should, in their way to the press, have sunk to nothing.

Mr. Harper entered into this discussion with great fluency. He spoke of Mr. Woodfall, the famous taker of debates in the British house of commons. He made no question that Woodfall got five thousand pounds sterling a year from his employers. The fact is that twenty people have reported debates in that house just as well as Mr. Woodfall. The common payment has been from two to three guineas per week. Thus accurate is the information of Mr. Harper. The printer of the Philadelphia Gazette had promised to give eleven hundred dollars of the salary of this short-hand writer. Hence only two thousand nine hundred dollars would have been charged to the public. The whole proposal excited contempt on every side of the house. Its patrons thought fit to withdraw it, without risking a division. On the 2d of February following, the subject was formally discharged. The 3d and 4th produced some discussions as to the federal city. On the 9th a memorial was presented from some manufacturers of snuff in Philadelphia. They objected to the snuff excise; which indeed comprehended almost every kind of oppression and absurdity of which a statute is susceptible. The law was suspended. The appropriation bill for 1796, having passed both houses, was on the 5th of February approved by the President.

On the 1st of March, a message was received from him with notice that the treaty of amity, commerce and navigation, between the United States and the king of England had been formally ratified. He sent a copy of it to each House of Congress. The journals of the Representatives,

of the 4th of March, contain lists of a number of invalids just then to be put upon half pay. To non-commissioned officers, musicians, and privates, a *full* pension, as Congress call it, is five dollars per month, or sixty dollars a year. But in the catalogue there is not a tenth part of them, who get so much. Forty-five, forty, thirty, twenty or fifteen dollars are the common allowance. Some of them have only one *eighth* of a full pension, that is to say, seven dollars and an half per annum. The lowest salary of a British private invalid is about seven pounds ten shillings sterling. Four thousand dollars, or even two thousand nine hundred to a short-hand writer for an attendance of four or five months, will square extremely well with a pension of fifteen dollars per annum to an old soldier. That class of people who furnish recruits for the American rank and file should pay some attention to these details, before they exchange their legs and arms for the chance of salaries of thirty dollars a year. At the same time Congress are sinking some hundred thousands of dollars on a Presidential palace at the paper-built city of Washington.

On the 8th of March, 1796, the President transmitted to each House a copy of the treaty with Algiers. The United States are bound to furnish annually to the Dey to the value of twelve thousand Algerine sequins in military stores. On the 10th the President approved an act of compensation to members of Congress. The payment to Senators is restricted to six dollars per day.

On the 18th of March, Congress agreed to the report of the committee of elections in the case of John Swanwick. It contained these words. "The petitioners have entirely failed to support the allegations contained in their petition, and they have in a formal manner relinquished the same." Thus closed the federal and tory clamour against the election of the Representative of Philadelphia. On the 23d the President approved a law which contains these words: "The rate of compensation to non-commissioned officers, privates and musicians, shall never exceed five dollars per month." This notice lessens the regret which every generous mind must feel at the statute of limitations. The salary even when obtained is barely worth acceptance, and certainly not worth solicitation. The average runs from forty-five to fifteen dollars per annum. Without a

single word of remonstrance, the President affixed his official approbation. Volunteers who, with such a prospect before them, enlist in the public service, have certainly a high claim to disinterestedness. While each party is making so much noise about the purity of its principles, and the virtue of its favourites, the citizens at large would do well to study the laws annually past in the general legislature, and to judge of the tree only by its fruits.

On the 24th of March, the Representatives past a resolution for requesting the President to lay before them the correspondence regarding the British treaty. Next day, Mr. Livingston and Mr. Gallatin waited on him with this message. On the 29th of March, the House received a letter from him with a copy of the Spanish treaty, and on the 30th another in answer to their requisition of Jay's instructions and correspondence. The House had restricted their request as follows: "excepting such papers as any existing negotiation may render *improper to be disclosed.*"

The answer is too long for insertion here. It enlarges on the necessity for political secrecy, in many transactions; on the attachment of the president to the constitution; and on other trite truths which are not likely to be disputed. The stress of the answer, the far most significant sentence is in these words. "To admit then a right in the House of Representatives to *demand*, and to have as a *matter of course*, ALL the papers respecting a negotiation with a foreign power, would be to establish a dangerous precedent."

This sentence contains within a line and an half, three injurious and gross mistatements. First. The Representatives did not *demand* the papers. They only *requested* them; and General Washington well knows that the meaning of these two words is totally distinct. Second. The House asked for the papers, not as a matter of *course* but a matter of *favour*. The very word *request* excludes the idea of this being a communication of course. But thirdly, the House did not request ALL the papers, but only such of them as the President might think that he could with safety communicate. The President has in the close of the sentence thus refused a request which was never made, as, in the former part of it, he transforms a request really

made, into a demand. His answer means thus: "you have demanded all the British correspondence." Congress never made such a demand. The President well knew that a vote, so rude, and at the time so unconstitutional, could not have been carried. To shew the inaccuracy of his answer, here is an exact copy of the resolution itself.

"Resolved, that the President of the United States be requested to lay before this House, a copy of the instructions to the minister of the United States who negotiated the treaty with the king of Great Britain (communicated by his message of the first instant), together with the correspondence and other documents relative to the said treaty, excepting such of the said papers as any existing negotiation may render improper to be disclosed." This answer was one of the first and strongest links in that chain of misrepresentation which in the spring of 1796, extended through the whole country, and humbled a majority of the House before the *majesty* of the people, as expressed in town meetings.

Americans boast much of their liberty. But a king of England durst not have sent such a message to a House of Commons. They would have forced him to give up the papers, before they had voted one shilling of supplies. The request of the Representatives was as respectful and unexceptionable as any message could be. The selection of papers was left entirely to the President's choice. Yet in opposition to the journals of the House, he saw fit to metamorphose this limited request into an *indiscriminate demand*. This was a proper return to the trifling addresses with which they had saluted him for seven preceding years, and to the frivolous debates about the wording of such things, on which they had uniformly squandered valuable time.

Cordiality and confidence between the President and the Senators were now at an end. He had refused to let them see any of those papers which for weeks together had been tumbling, all in one bunch, on the table of the Representatives. After long and warm debates, the House, on the 7th of April, 1796, passed two resolutions in answer to the letter from the President. They were carried by a majority of fifty seven against thirty five. On the 14th of April, a resolution was laid on the table for refusing the

concurrence of the House to carry the British treaty into effect. This they could do by withholding the requisite supplies. On the 18th the President approved of the act for establishing trading houses with the Indian tribes.

After an obstinate debate, which lasted for several days, the House on the 30th of April agreed to bring in a bill for carrying the British treaty into effect. The resolution passed in committee of the whole by the casting vote of their chairman, Mr. Muhlenberg. The act was approved on the 6th of May; and on the same day by the President, along with three others respecting the Spanish and Algerine treaties, and that with the Indians to the northwest of the Ohio. Another act passed at the same time authorizing a loan of three hundred thousand dollars for the city of Washington, of which a more particular account will be given hereafter.

For some time before these laws passed, petitions and memorials in favor of appropriating for the British treaty heaped the table of the Representatives from every part of the Union. The transaction was, therefore, in the strictest sense, that of the people. In their dread of a British war, the public seemed totally to overlook the possibility of one with France. Even for some weeks after the British Appropriation Act had been ratified, applications continued to pour in.

The length of debates during this laborious session perhaps exceeded that of any other since the new Constitution. Many acts passed, which cost unusual effort. Such was that approved on the 18th of May, for the sale of lands northwest of the Ohio; and that for the relief and protection of American seamen. On the 1st of June, being the last day of the session, the President approved a law for admitting Tennessee into the Union, as a sixteenth state. After the British treaty had been finally settled, members appear to have become unusually impatient for returning to their constituents. Applications for leave of absence were numerous. On the day before the session rose, the yeas and nays being taken, only the Speaker and sixty-nine members were present.

WE are now at the close of this volume. Some inaccuracies will readily be discovered in it, as in every other book. The author can only say that none of them have occurred from an intention to deceive. Farther explanations are useless. He has ventured on freedoms with every party, and he can neither expect nor desire to be the favourite of any. Some individuals do not make exactly the figure that they might wish to do. For this they have themselves only to blame.

In the last Chapter, a reference was made to that article in the British treaty which burdens the public treasury with the payment of debts due by Americans to British creditors. It contains some qualifications not adverted to in that place. To prevent any charge of misquoting, the material part of it is here given entire. " In all such cases where full compensation for such losses and damages cannot for whatever reason be actually obtained, had and received by the said creditors in the ordinary course of justice, the United States will make full and complete compensation for the same to the said creditors : But it is distinctly understood, that this provision is to extend to such losses only as have been occasioned by such insolvency of the debtors, or other causes as would equally have operated to produce such loss, if the said impediments had not existed ; not to such losses or damages as have been occasioned by the manifest delay or negligence, or wilful omission of the claimant."

Even this stipulation hardly makes it better. The decision is left not to a jury, but to a board of five commissioners, of whom three constitute a quorum. Camillus has not been able to find any precedent for this clause as to discharging the debts of private persons from a national purse. Of the numerous attacks which that treaty holds out on the common sense of America this stipulation is not the least. It is needless to look into the constitution for such an authority. The assumption is in equal opposition to the letter and the spirit of it. If this proposal had, in 1787, been offered to the United States by the Constitution, it would have been rejected with scorn. A farmer in Ver-

mont or Genesee has nothing to do with the debts of a bankrupt in Maryland or Virginia. Besides, who are to settle the justice of these debts, even if the public had any business with them? The decision rests with an arbitrary board of five persons, of whom three can transact business. Of these three it may happen that two shall be British subjects, but that makes no great difference, for even American Commissioners may prove as flexible as American Ambassadors.

POSTSCRIPT.

Some inaccuracies have occurred in putting this work to the press. One or two which affect the sense are here noticed. Referring to p. 91, line 1, from the top, it must be observed that the Connecticut charter was granted by Charles the Second.

On p. 120, Mr. Dexter is said to have been the Representative of Boston. This was likewise a slip of the pen.

THE END.

